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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter VIII—Sugar Agency

##### PART 802—SUGAR DETERMINATIONS

##### VIRGIN ISLANDS; SUGARCANE WAGE RATES, 1942

Determination of fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1942.

Whereas section 301 (b) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

That all persons employed on the farm in the production, cultivation, or harvesting of sugar beets or sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended, and the differences in conditions among various producing areas: *Provided, however,* That a payment which would be payable except for the foregoing provisions of this subsection may be made, as the Secretary may determine, in such manner that the laborer will receive an amount, insofar as such payment will suffice, equal to the amount of the accrued unpaid wages for such work, and that the producer will receive the remainder, if any, of such payments;

and

Whereas the Secretary of Agriculture, on March 26, 1942, held a public hearing in Christiansted, St. Croix, Virgin Islands, for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during 1942.

Now, therefore, I, Paul H. Appleby, Under Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing and all other information before me, do hereby make the following determination:

**AUTHORITY:** § 802.51, issued under sec. 301 (b) of the Sugar Act of 1937, as amended (50 Stat. 909; 7 U.S.C. 1131 (b)).

§ 802.51 *Fair and reasonable wages for the Virgin Islands for the calendar year 1942.* The requirements of section 301 (b) of the Sugar Act of 1937, as amended, shall be deemed to have been met if all persons employed on the farm in 1942 in the production, cultivation, or harvesting of sugarcane with respect to which an application for payment is or will be made under such act, shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates not less than the following:

(a) *Harvesting rates.* For all workers engaged in the harvesting of sugarcane: Not less than \$1.36 per 8-hour day. For a working day longer or shorter than 8 hours, the rate shall be not less than 17 cents per hour.

(b) *Production and cultivation rates.* For all workers engaged in the production and cultivation of sugarcane: Not less than \$1.04 per 8-hour day. For a working day longer or shorter than 8 hours, the rate shall be not less than 13 cents per hour.

(c) *Piece rates.* Persons employed on a piece-rate basis shall be paid at rates which will result in earnings of not less than the applicable hourly rates provided in paragraph (a) or (b) of this section.

(d) *General provisions.* (1) The producer shall furnish to the laborer, without charge, the perquisites customarily furnished by him, such as a dwelling, garden plot, pasture lot, and medical services; and the producer shall not, through any subterfuge or device whatsoever, reduce the wage rates to laborers below those determined above.

(2) Nothing in this determination shall be construed to mean that a producer may qualify for a payment under

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the said act who has not paid in full the amount agreed upon between the producer and the laborer.

Done at Washington, D. C., this 21st day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,  
Under Secretary of Agriculture.

[F. R. Doc. 42-6978; Filed, July 22, 1942; 11:39 a. m.]

#### PART 802—SUGAR DETERMINATIONS VIRGIN ISLANDS; SUGARCANE PRICES

Determination of fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane.

Whereas section 301 (d) of the Sugar Act of 1937, as amended, provides, as one of the conditions for payment to producers of sugar beets and sugarcane, as follows:

That the producer on the farm who is also, directly or indirectly, a processor of sugar beets or sugarcane, as may be determined by the Secretary, shall have paid, or contracted

to pay under either purchase or toll agreements, for any sugar beets or sugarcane grown by other producers and processed by him at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing.

Whereas the Secretary of Agriculture, on March 26, 1942, held a public hearing at Christiansted, St. Croix, Virgin Islands, for the purpose of receiving evidence likely to be of assistance to him in determining fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane:

Now, therefore, I, Paul H. Appleby Under Secretary of Agriculture, after investigation and due consideration of the evidence obtained at the aforesaid hearing and all other information before me, do hereby make the following determination with respect to the requirements of section 301 (d) of the said act:

AUTHORITY: § 802.53 issued under sec. 301 (d) of the Sugar Act of 1937, as amended (50 Stat. 910; 7 U.S.C. 1131).

§ 802.53 *Fair and reasonable prices for the 1942 crop of Virgin Islands sugarcane.* Processors who, as producers, apply for payment under the Sugar Act of 1937, as amended, shall be deemed to have complied with the provisions of section 301 (d) of said act, if the requirements specified below have been met:

(a) Purchased sugarcane is paid for at the rate of not less than the f. o. b. mill value of 6 pounds of 96° raw sugar per hundredweight of such sugarcane. The average New York price of 96° raw sugar, for the week (or such other period as may be agreed upon) in which sugarcane was delivered, less all costs involved in the marketing of such sugar (other than bags and bagging, storage in company warehouses, war risk insurance, or any item of expense incurred in the marketing of such sugar which is reimbursed in whole or in part by the federal government of any agency thereof) shall be deemed as the f. o. b. mill value of such sugar.

(b) There is paid, per hundredweight of purchased sugarcane, an amount equal to one-half of the excess, if any, of the net proceeds derived from the sale of blackstrap molasses produced from a hundredweight of sugarcane of the 1942 crop over the net proceeds from the sale of blackstrap molasses produced from a hundredweight of sugarcane from the 1941 crop.

(c) The cost of transportation of purchased sugarcane for distances in excess of one kilometer from the limits of the field where such sugarcane is harvested, or from the way station nearest the field, whichever is shorter, is absorbed by the processor.

Done at Washington, D. C., this 21st day of July 1942. Witness my hand and the seal of the Department of Agriculture.

[SEAL] PAUL H. APPLEBY,  
Under Secretary of Agriculture.

[F. R. Doc. 42-6979; Filed, July 22, 1942; 11:39 a. m.]

**TITLE 14—CIVIL AVIATION**  
 Chapter I—Civil Aeronautics Board  
 [Amendment 60-60, Civil Air Regulations]  
**PART 60—AIR TRAFFIC RULES**  
**AIRCRAFT IN CONTACT FLIGHT TO CONFORM TO AIRPORT TRAFFIC PATTERN**  
 At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of July 1942.  
 Acting pursuant to sections 205 (a) and 601 of the Civil Aeronautics Act of 1938, as amended, the Civil Aeronautics Board amends the Civil Air Regulations as follows:  
 Effective July 15, 1942, Part 60 of the Civil Air Regulations is amended as follows:  
 1. By striking § 60.3303 and inserting in lieu thereof the following:  
 § 60.3303 *Unassigned.*  
 2. By striking § 60.344 and inserting in lieu thereof the following:  
 § 60.344 *Airport traffic pattern.* Aircraft in contact flight within three miles horizontally of the center of an airport or other landing area shall conform to the circle rule provided in § 60.3301 unless flying at an altitude in excess of 1,500

feet above such airport or other landing area.  
 By the Civil Aeronautics Board.  
 [SEAL] DARWIN CHARLES BROWN,  
*Secretary.*  
 [F. R. Doc. 42-6976; Filed, July 23, 1942; 11:32 a. m.]

**TITLE 30—MINERAL RESOURCES**  
 Chapter III—Bituminous Coal Division  
 [Docket No. A-1498]  
**PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2**  
**ORDER GRANTING RELIEF**  
 Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.  
 An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2.  
 It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention have been filed with the Division in the above-entitled matter; and that the following action is necessary in order to effectuate the purposes of the Act.  
 It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (Alphabetical list of code members) is amended

by adding thereto Supplement R-1, § 322.9 (Special prices—(c) Railroad fuel) is amended by adding thereto Supplement R-II, and § 322.23 (General prices) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.  
 It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure Before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.  
 It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.  
 No relief is granted herein as to the coals of the Wilson Mine (Mine Index No. 1428), of H. F. Wilson, for all shipments except truck, for the reasons set forth in the order designating that portion of Docket No. A-1498 relating to such coals as Docket No. A-1498, Part II, and granting, in part, temporary relief therein.  
 Dated: July 2, 1942.  
 DAN H. WHEELER,  
*Acting Director.*  
 [SEAL]

**TITLE 30—MINERAL RESOURCES**  
 Chapter III—Bituminous Coal Division  
 [Docket No. A-1498]  
**PART 322—MINIMUM PRICE SCHEDULE, DISTRICT NO. 2**  
**ORDER GRANTING RELIEF**  
 Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District Board No. 2 for the establishment of price classifications and minimum prices for the coals of certain mines.  
 An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, was duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 2.  
 It appears that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; that no petitions of intervention have been filed with the Division in the above-entitled matter; and that the following action is necessary in order to effectuate the purposes of the Act.  
 It is ordered, That, pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 322.7 (Alphabetical list of code members) is amended

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2  
 Price Schedule for District No. 2 and supplements thereto.  
 Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2  
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TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT NO. 2  
 Price Schedule for District No. 2 and supplements thereto.  
 Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.

[Alphabetical listing of code members having railway leading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Scam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.
2491	Carlisle, Joseph (Perrill Coal Co.)	Disle	Pittsburgh	8	Dilliant, Pa.	Monon	50	1 10 15 16
2494	Frazer, M. W. & A. H. Sowers	Frazer & Sowers #7 (Deep)	Pittsburgh	8	Masonville, Pa.	Monon	50	1 10 15 16
2501	Martin & Welle (Thomas J. Welle)	Way	Pittsburgh	8	Dumont, Pa.	PRR	50	1 10 15 16
1625	Merrica & Warren (Tony Merrico)	Nichols (strip)	Pittsburgh	9	Mohant, Pa.	PRR	74	1 10 15 16
2492	Norris, Chas. D.	Norris	Pittsburgh	1	Mohant, Pa.	PRR	21	1 10 15 16
2493	Trasp & Jones Coal Co. (Givan Jones)	Norwalk Hills #1 (strip)	Pittsburgh	7	Millin Jet, Pa.	Union	47	1 10 15 16
2497	Union Collieries Company	Union #2 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16
183	Union Collieries Company	Union #3 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16
183	Union Collieries Company	Union #4 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16
189	Union Collieries Company	Union #5 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16

[Alphabetical listing of code members having railway leading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Scam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.
2491	Carlisle, Joseph (Perrill Coal Co.)	Disle	Pittsburgh	8	Dilliant, Pa.	Monon	50	1 10 15 16
2494	Frazer, M. W. & A. H. Sowers	Frazer & Sowers #7 (Deep)	Pittsburgh	8	Masonville, Pa.	Monon	50	1 10 15 16
2501	Martin & Welle (Thomas J. Welle)	Way	Pittsburgh	8	Dumont, Pa.	PRR	50	1 10 15 16
1625	Merrica & Warren (Tony Merrico)	Nichols (strip)	Pittsburgh	9	Mohant, Pa.	PRR	74	1 10 15 16
2492	Norris, Chas. D.	Norris	Pittsburgh	1	Mohant, Pa.	PRR	21	1 10 15 16
2493	Trasp & Jones Coal Co. (Givan Jones)	Norwalk Hills #1 (strip)	Pittsburgh	7	Millin Jet, Pa.	Union	47	1 10 15 16
2497	Union Collieries Company	Union #2 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16
183	Union Collieries Company	Union #3 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16
183	Union Collieries Company	Union #4 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16
189	Union Collieries Company	Union #5 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16

[Alphabetical listing of code members having railway leading facilities, showing price classification by size group numbers]

Mine index No.	Code member	Mine name	Scam	Sub-district No.	Shipping point	Railroad	Freight origin group No.	Size group Nos.
2491	Carlisle, Joseph (Perrill Coal Co.)	Disle	Pittsburgh	8	Dilliant, Pa.	Monon	50	1 10 15 16
2494	Frazer, M. W. & A. H. Sowers	Frazer & Sowers #7 (Deep)	Pittsburgh	8	Masonville, Pa.	Monon	50	1 10 15 16
2501	Martin & Welle (Thomas J. Welle)	Way	Pittsburgh	8	Dumont, Pa.	PRR	50	1 10 15 16
1625	Merrica & Warren (Tony Merrico)	Nichols (strip)	Pittsburgh	9	Mohant, Pa.	PRR	74	1 10 15 16
2492	Norris, Chas. D.	Norris	Pittsburgh	1	Mohant, Pa.	PRR	21	1 10 15 16
2493	Trasp & Jones Coal Co. (Givan Jones)	Norwalk Hills #1 (strip)	Pittsburgh	7	Millin Jet, Pa.	Union	47	1 10 15 16
2497	Union Collieries Company	Union #2 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16
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183	Union Collieries Company	Union #4 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16
189	Union Collieries Company	Union #5 (strip)	Pittsburgh	8	Union Jet, Pa.	PRR	47	1 10 15 16

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 322, Minimum Price Schedule for District No. 2 and supplements thereto.  
 \*Indicates no classification effect for this size group.  
 †Indicates classifications and prices provisionally established for this size group.

§ 322.9 *Special prices—(c) Railroad fuel—Supplement R-II.* In § 322.9 (c) of Minimum Price Schedule, add the mine index numbers in groups shown. Group No. 2, 1625, 2437; Group No. 7, 2001, 2431, 2434; Group No. 12, 2432.

FOR TRUCK SHIPMENTS

§ 322.23 *General prices—Supplement T*

Code member index	Mine index No.	Mine	Seam	Base sizes																		
				Lump over 4"	Lump 4"	Lump 3"	Lump 2"	Egg 2" x 4"	Stove 1" x 4"	Pea 3/4" x 1 1/4"	Run of mine	2" N/S	1 1/4" slack	3/4" slack								
				1	2	3	4	5	6	7	8	9	10	11								
<b>ALLEGHENY COUNTY</b>																						
Miller, John G.	2430	Miller	Pittsburgh	300	290	280	255	230	230	220	240	200	180	180								
<b>BUTLER COUNTY</b>																						
Norris, Chas. D.	2432	Norris	M. Kittanning	325	305	285	265	260	245	245	230	190	180	170								
<b>PAYETTE COUNTY</b>																						
Cinci, Serafino (Cinci Coal Company)	2433	Cinci #3	Pittsburgh	310	300	290	270	250	240	235	240	210	200	185								
Fresa, M. W. & A. R. Sowers	2434	Fresa & Sowers #7 Deep	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175								
Pennsylvania Coal Company (Myers Nobel)	2436	Sandy Ann	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175								
Rugh, Alfred L.	2428	Rugh	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175								
Taylor Coal Co. (Edwin J. Taylor)	2435	Collins	Pittsburgh	290	280	270	250	230	220	215	220	205	200	175								
<b>GREENE COUNTY</b>																						
Cardine, Joseph (Fernill Coal Co.)	2431	Dixie	Pittsburgh	275	265	255	245	230	220	215	220	190	180	165								
<b>WESTMORELAND COUNTY</b>																						
Horvath Coal Co. (W. G. Horvath)	2421	Horvath	Pittsburgh	280	270	260	245	240	230	210	215	195	185	175								

[F. R. Doc. 42-6914; Filed, July 21, 1942; 10:58 a. m.]

[Docket No. A-1501]

PART 323—MINIMUM PRICE SCHEDULE, DISTRICT NO. 3

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order granting temporary relief and conditionally providing for final relief in

the matter of the petition of District Board No. 3 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 3.

An original petition, pursuant to section 4 II (d) of the Bituminous Coal Act

of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 3; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 323.6 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-I, § 323.8 (*Special prices—(b) Railroad fuel prices for all movements except via lakes*) is amended by adding thereto Supplement R-II, § 323.8 (*Special prices—(c) Railroad fuel prices for movement via all lakes—all ports*) is amended by adding thereto Supplement R-III, and § 323.23 (*General prices*) is amended by adding thereto Supplement T, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 6, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.



§ 323.8 *Special prices—(b) Railroad fuel prices for all movements except via lakes—Supplement R-II.*

NOTE: For railroad fuel prices add these mine index numbers to the respective groups set forth in Minimum Price Schedule, Group No. 1: 745, 1345, 1347, 1348, 1349, 1350 (a), 1351 (a), 1352 (a); Group No. 3: 1124; Group No. 4: 1343 (a); Group No. 5: 671.

§ 323.8 *Special prices—(c) Railroad fuel prices for movements via all lakes—Supplement R-III.* For railroad fuel prices add these mine index numbers to the respective groups set forth in Minimum Price Schedule Group No. 1: 745, 1345, 1347, 1348, 1349, 1350, 1351, 1352; Group No. 3: 1124; Group No. 4: 1343; Group No. 5: 671.

TRUCK SHIPMENTS

§ 323.23 *General prices—Supplement T*

Code member index	Mine index No.	Mine	Seam	County	Size groups						
					Lump over 2", egg over 2", bottom size	Lump 2", egg 2", bottom size, but over 1 3/4"	Lump 1 3/4" and under, egg 1 3/4" and under, bottom size	All nut and pea 2" and under	Run of mine resultant over 2"	1 1/4" and 2" slack	3/4" slack
					1	2	3	4	5	6	7
Castle, Joseph W.	1323	Castle	Bakerstown	Preston	235	235	235	210	210	200	190
Davison, Harry E.	1345	Shuttleworth (Strip)	Pittsburgh	Harrison	223	218	218	193	193	178	168
Greer Gas Coal Company	1347	Hartley #2	Pittsburgh	Barbour	223	218	218	193	193	178	168
Klink, S. O. & Son (S. O. Klink)	1343	Eleanor	Sewickley	Monongalia	208	203	203	178	178	163	153
McCoy, Robert L.	1348	Jaynes #1	Pittsburgh	Harrison	223	218	218	193	193	178	168
Scritchfield, D. L.	1349	Heldreth (Strip)	Pittsburgh	Harrison	223	218	218	193	193	178	168
Teresa Coal Company % Teresa O'Hara	1350	Robinson Run #1-A	Pittsburgh	Monongalia	223	218	218	193	193	178	168
Teresa Coal Company % Teresa O'Hara	1351	Robinson Run #1-B	Pittsburgh	Monongalia	223	218	218	193	193	178	168
Teresa Coal Company % Teresa O'Hara	1352	Robinson Run #1-D (Strip)	Pittsburgh	Monongalia	223	218	218	193	193	178	168

[F. R. Doc. 42-6917; Filed, July 21, 1942; 10:56 a. m.]

[Docket Nos. A-1489 and A-1502]

PART 328—MINIMUM PRICE SCHEDULE, DISTRICT No. 8

ORDER GRANTING TEMPORARY RELIEF, ETC.

Order of consolidation and order granting temporary relief and conditionally providing for final relief in the matter of the petitions of District Board No. 8 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 8.

Original petitions having been duly filed with this Division by the above-named party, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 8; and

It appearing that the above-entitled matters raise similar and related issues; and

It further appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with this Division in the above-entitled matters; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That the above-entitled matters be, and the same hereby are, consolidated.

It is further ordered, That, pending final disposition of the above-entitled matters, temporary relief be, and the same hereby is, granted as follows: Commencing forthwith § 328.11 (*Alphabetical list of code members*) is amended by add-

ing thereto Supplement R-I, § 328.21 (*Alphabetical list of code members*) is amended by adding thereto Supplement R-II, § 328.34 (*General prices for high volatile coals in cents per net ton for shipment into all market areas*) is amended by adding thereto Supplement T-I, and § 328.42 (*General prices for low volatile coals*) is amended by adding thereto Supplement T-II, which supplements are hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Price classifications and minimum prices are established herein for the coals of the Browning Coal Company mine of G. E. Browning for all shipments except truck under Mine Index No. 830, instead of under Mine Index No. 2336, as proposed in the original petition in Docket No. A-1489 for the reason that records of the Division indicate that Mine Index No. 830 is the correct mine index number for this mine.

The relief prayed in the original petition in Docket No. A-1489 is not granted herein as to the coals of the Derifield Mine (Mine Index No. 2538) of Arthur Derifield for truck shipments for the reason that such relief has already been granted the mine in Supplement No. 2 for the Schedule of Effective Minimum Prices for District No. 8 For Truck Shipments, when it was known as the McBrayer Mine and operated by Ward McBrayer.

The original petitioner in Docket No. A-1489 proposed a minimum price of \$2.35 for the coals of Mine Index No. 5577 in Size Group 4 for truck shipments. Since it appears that a minimum price of \$2.25 has been established in Size Group 4 for comparable and analogous coals, and since the petition does not allege any facts in support of the proposed minimum price of \$2.35 for the Size Group 4 coals of Mine Index No. 5577, a minimum price of \$2.25 has been established by the Order herein for the coals of this mine.

Dated: July 2, 1942.

[SEAL] DAN H. WHEELER, Acting Director.

District No. 8

Note: The material contained in these supplements is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 328, Minimum Price Schedule for District No. 8 and supplements thereto.

FOR ALL SHIPMENTS EXCEPT TRUCK

§ 328.11 Alphabetical list of code members—Supplement R-1  
 [Alphabetical list of code members having railway loading facilities, showing price classifications by size groups for all uses except as separately shown]

Mine index No.	Code member	Mine name	High volatile seam	Subdistrict No.	Shipping point	Railroad	Price classifications by size group Nos.																							
							For destinations other than Great Lakes												For Great Lakes cargo only											
							1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
1222	Baker, Grady G.	G. B. Coal Co.	Clintonwood	7	Fremont, Va.	O&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1701	Blevens, Matt.	Blevens	Lilly	6	East Bernstadt, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
507	Doggett, J. L. (Willard Coal Company)	Willard	No. 7	1	Hitchins, Ky.	O&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
830	Browning, G. E.	Browning C. Co.	Clintonwood	7	Fremont, Va.	O&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
6167	Bryant, P. W. & Claud Foley (P. W. Bryant)	Bryant & Foley	Jellico	6	Saxton, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1531	Collins & Merritt Coal Company (George E. Evans)	Collins No. 4	Elkhorn No. 3	1	Garrett, Ky.	O&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
811	Collins & Merritt Coal Company (George E. Evans)	Collins No. 5	Elkhorn No. 3	3	Garrett, Ky.	O&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
5560	Cuchin, Wm. (Cuchin Coal Co.)	Cuchin No. 14	No. 4	6	Combs, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
2214	Dale, Walter	Tony Davis	Harold No. 7	3	Postons, Va.	C&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
2283	Garrett, Belle B.	Virginia Sub	Stright Creek	6	Phonville, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1623	Greene, A. M.	Wilcox-Jellico No. 40	Jellico	6	Woodbine, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1676	Greene, A. M.	Wilcox-Jellico No. 42	Jellico	6	Woodbine, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1577	Greene, A. M.	Wilcox-Jellico No. 50	Jellico	6	Woodbine, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
3169	Jacobs, Frank	Jellico	"B"	2	Woodbine, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
963	Jacobs & Johnson (C. B. Jacobs)	Jellico	Lower Banner	7	Cumberland, Ky.	C&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1522	Lower Banner Coal Co. (W. C. Thompson)	Lower Banner C. Co.	Lower Banner	7	Ceburn, Va.	N&W	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1563	Melva Coal Company, The (G. R. Martin)	Melva No. 4	Elkhorn No. 1	1	Drift, Ky.	C&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1572	Melva Coal Company, The (G. R. Martin)	Melva No. 5	Elkhorn No. 1	1	Drift, Ky.	C&O	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1527	Melva Coal Company, The (G. R. Martin)	Melva No. 6	River Hem	6	Savoy, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1530	Melva Coal Company, The (G. R. Martin)	Melva No. 7	Blue Gem	6	Jellico, Tenn.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1533	Melva Coal Company, The (G. R. Martin)	Melva No. 8	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1536	Melva Coal Company, The (G. R. Martin)	Melva No. 9	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1539	Melva Coal Company, The (G. R. Martin)	Melva No. 10	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1542	Melva Coal Company, The (G. R. Martin)	Melva No. 11	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1545	Melva Coal Company, The (G. R. Martin)	Melva No. 12	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1548	Melva Coal Company, The (G. R. Martin)	Melva No. 13	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1551	Melva Coal Company, The (G. R. Martin)	Melva No. 14	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1554	Melva Coal Company, The (G. R. Martin)	Melva No. 15	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1557	Melva Coal Company, The (G. R. Martin)	Melva No. 16	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1560	Melva Coal Company, The (G. R. Martin)	Melva No. 17	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1563	Melva Coal Company, The (G. R. Martin)	Melva No. 18	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1566	Melva Coal Company, The (G. R. Martin)	Melva No. 19	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1569	Melva Coal Company, The (G. R. Martin)	Melva No. 20	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1572	Melva Coal Company, The (G. R. Martin)	Melva No. 21	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1575	Melva Coal Company, The (G. R. Martin)	Melva No. 22	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1578	Melva Coal Company, The (G. R. Martin)	Melva No. 23	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1581	Melva Coal Company, The (G. R. Martin)	Melva No. 24	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1584	Melva Coal Company, The (G. R. Martin)	Melva No. 25	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1587	Melva Coal Company, The (G. R. Martin)	Melva No. 26	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1590	Melva Coal Company, The (G. R. Martin)	Melva No. 27	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1593	Melva Coal Company, The (G. R. Martin)	Melva No. 28	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1596	Melva Coal Company, The (G. R. Martin)	Melva No. 29	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1599	Melva Coal Company, The (G. R. Martin)	Melva No. 30	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1602	Melva Coal Company, The (G. R. Martin)	Melva No. 31	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1605	Melva Coal Company, The (G. R. Martin)	Melva No. 32	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1608	Melva Coal Company, The (G. R. Martin)	Melva No. 33	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1611	Melva Coal Company, The (G. R. Martin)	Melva No. 34	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1614	Melva Coal Company, The (G. R. Martin)	Melva No. 35	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1617	Melva Coal Company, The (G. R. Martin)	Melva No. 36	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1620	Melva Coal Company, The (G. R. Martin)	Melva No. 37	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1623	Melva Coal Company, The (G. R. Martin)	Melva No. 38	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1626	Melva Coal Company, The (G. R. Martin)	Melva No. 39	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1629	Melva Coal Company, The (G. R. Martin)	Melva No. 40	Mason	6	Kelco, Ky.	L&N	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	(C)	
1632	Melva Coal Company, The (																													



§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T-I—Continued

Code member index	Mino	Mine index No.	Seam	Base sizes							
				Lump over 24" x 6", egg	Lump 24" x 6", egg and under	Lump 24" x 4", egg	Lump 24" x 4", egg and under	Store 24" and under	Straight mine run	24" and under, slack	34" and under, slack
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN—Continued											
WAYNE COUNTY, KY.											
Donnov, Leo.....		6552	No. 3.....	255	235	216	210	200	205	165	160
WHITLEY COUNTY, KY.											
Greene, A. M.....			Wilcox-Jellico No. 69	255	235	225	225	205	215	165	160
CAMPELL COUNTY, TENN.											
Morgan Coal Company (New-ton Morgan).....			Morgan Mine.....	332	315	235	230	225	225	155	150
SUBDISTRICT NO. 7—VIRGINIA											
RUSSELL COUNTY, VA.											
Davis, T. W.....			T. W. Davis 02...	276	255	220	210	225	210	165	160
WISCONSIN COUNTY, VA.											
Lower Banner Coal Co. (W. C. Thomas).....			Lower Banner C. 5552	205	215	220	220	215	210	165	160

FOR TRUCK SHIPMENTS  
§ 328.42 General prices for low volatile coals—Supplement T-II

Code member index	Mino	Mine index No.	Seam	Base sizes							
				All Lump	Exp. 34" top	Store 34" top	Store 34" top	Notch top	Straight M/R	17" slack	17" slack
SUBDISTRICT NO. 9—BUCHANAN COUNTY LOW VOLATILE AND RED ASH MINES IN VIRGINIA AND WILLIAMSON DISTRICTS											
FAIRWELL COUNTY, VA.											
Short & Rues (C. D. Rues).....			Short & Rues.....	305	305	300	300	230	210	165	160

[F. R. Doc. 42-6919; Filed, July 21, 1943; 10:57 a. m.]

FOR TRUCK SHIPMENTS  
§ 328.34 General prices for high volatile coals in cents per net ton for shipment into all market areas—Supplement T-I

Code member index	Mino	Mine index No.	Seam	Base sizes							
				Lump over 24" x 6", egg	Lump 24" x 6", egg and under	Lump 24" x 4", egg	Lump 24" x 4", egg and under	Store 24" and under	Straight mine run	24" and under, slack	34" and under, slack
SUBDISTRICT NO. 1—BIG SANDY ELKHORN											
BOYD COUNTY, KY.											
Erwin (Cossath) Collins No. 4.....		6576	Elkhorn No. 3...	265	245	210	220	205	200	150	145
GREENUP COUNTY, KY.											
Bartram, Marco A.....		6555	Clod	235	245	210	220	205	200	150	145
Bechtelmer, Milt.....		6550	Clod	235	245	210	220	205	200	150	145
Walt, J. H.....		6551	Clod No. 7 (Clod)	235	245	210	220	205	200	150	145
Woods, George.....		6576	Clod No. 7 (Clod)	235	245	210	220	205	200	150	145
SUBDISTRICT NO. 2—HARLAN HARLAN COUNTY, KY.											
Paas.....		6559	Harlan.....	270	250	225	220	210	210	175	171
SUBDISTRICT NO. 5—LOGAN WYOMING COUNTY, W. VA.											
Eastern Gas & Fuel Associates (Koppers Coal Division)											
Kopperston No. 1.....		6551	Leslie.....	(*)	(*)	(*)	(*)	215	(*)	(*)	(*)
SUBDISTRICT NO. 6—SOUTHERN APPALACHIAN											
MILL COUNTY, KY.											
Clark, Bradie B.....		6573	Straight Creek	270	270	225	245	215	215	165	160
Quick Run Coal Co. (Herbert Taylor).....		6574	Mason.....	270	270	225	245	215	215	165	160
Taylor Coal Company (M. G. Taylor).....		6575	Mason.....	270	270	225	245	215	215	165	160
Taylor, J. H.....		6519	Straight Creek	270	270	225	245	215	215	165	160
ENOK COUNTY, KY.											
Owens, P. A.....		6579	Jellico.....	270	270	225	245	215	215	165	160
Warren, Leo & Andy Roberts (Leo Warren).....		6581	Blue Gem.....	335	315	275	250	225	225	145	140
LAUREL COUNTY, KY.											
Wallen, French & Nee (W. F. Wallen).....		6580	Horse Creek.....	265	245	220	220	205	210	165	160
LESLE COUNTY, KY.											
Cutshin Coal Co.....		6559	Cutshin No. 14.....	276	255	230	235	205	210	155	150

\*Indicates previously classified base size groups.



[Docket No. A-1513]

**PART 330—MINIMUM PRICE SCHEDULE,  
DISTRICT No. 10**

**ORDER GRANTING RELIEF, ETC.**

Order granting temporary relief and conditionally providing for final relief in the matter of the petition of District No. 10 for the establishment of price classifications and minimum prices for the coals of certain mines in District No. 10.

An original petition, as amended, pursuant to section 4 II (d) of the Bituminous Coal Act of 1937, having been duly filed with this Division by the above-named party, requesting the establishment, both temporary and permanent, of price classifications and minimum prices for the coals of certain mines in District No. 10 for truck shipments; and

It appearing that a reasonable showing of necessity has been made for the granting of temporary relief in the manner hereinafter set forth; and

No petitions of intervention having been filed with the Division in the above-entitled matter; and

The following action being deemed necessary in order to effectuate the purposes of the Act;

It is ordered, That pending final disposition of the above-entitled matter, temporary relief is granted as follows: Commencing forthwith, § 330.25 (General prices in cents per net ton for shipment into all market areas) is amended by adding thereto Supplement T, which supplement is hereinafter set forth and hereby made a part hereof.

It is further ordered, That pleadings in opposition to the original petition in the above-entitled matter and applications to stay, terminate or modify the temporary relief herein granted may be filed with the Division within forty-five (45) days from the date of this Order, pursuant to the Rules and Regulations Governing Practice and Procedure before the Bituminous Coal Division in Proceedings Instituted Pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

It is further ordered, That the relief herein granted shall become final sixty (60) days from the date of this Order, unless it shall otherwise be ordered.

Dated: July 6, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

Code member whose mine is located within the district."

In the interest of conserving paper, postage, and related expenses, it appears desirable and proper for the said section to require petitions or recommendations filed by District Boards with the Bituminous Coal Division to be served by mail only upon all other District Boards and upon each code member whose name appears in the petition or recommendation, or in accompanying supplements, rather than upon all other District Boards and upon all code members whose mines are located in the districts of the petitioners.

Accordingly, it is ordered, That:

Commencing ten (10) days from the issuance of this order, § 301.118 of Order No. 303 should be, and hereby is, amended to read, as follows:

§ 301.118 Service. Copies of petitions or recommendations in connection with Code members' petitions which are filed by a District Board with the Division pursuant to this order shall be served by mail, on or before the date such petitions or recommendations are filed with the Division, upon all other District Boards and upon each Code member whose name appears in the petition or recommendation, or in accompanying supplements. (Sec. 2 (a), 50 Stat. 72, 15 U.S.C. Supp. Sec. 829 (a)).

Dated: July 14, 1942.

[SEAL] DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6371; Filed, July 22, 1942; 11:15 a. m.]

**TEMPORARY AND CONDITIONALLY FINAL EFFECTIVE MINIMUM PRICES FOR DISTRICT No. 10**

NOTE: The material contained in this "Supplement T" is to be read in the light of the classifications, prices, instructions, exceptions and other provisions contained in Part 330, Minimum Price Schedule for District No. 10 and supplements thereto.

**FOR TRUCK SHIPMENTS**

§ 330.25 General prices in cents per net ton for shipment into all market areas—  
Supplement T

Code member index	Mine In- dex No.	Mine	Scam	Prices and size group Nos.													
				1	2	3	4	5	6	7	8	9	10	11	12	13	14
<b>SECTION No. 8</b>																	
<b>HENRY COUNTY</b>																	
Crescent Coal Co. No. 2 (Daniel Bates)	1550	Crescent Coal Co. #2		0 235	250	245	235	220	225	185	165	160	155	155	125	115	60
<b>SECTION No. 5</b>																	
<b>M'DONOUGH COUNTY</b>																	
Willey, Eli	1552	Eli Willey #2		2 235	250	245	235	220	225	170	165	160	155	155	125	115	60
<b>SCHUYLER COUNTY</b>																	
Shanks, Archie	1553	Archie Shanks #2		2 235	250	245	235	220	225	170	165	160	155	155	125	115	60

[F. R. Doc. 42-6316; Filed, July 21, 1942; 10:56 a. m.]

[Order 340 Amending Order 303]

**PART 301—RULES OF PRACTICE AND  
PROCEDURE**

**SERVICE BY MAIL; NUMBER OF COPIES  
REDUCED**

On September 26, 1940, (5 F.R. 3874) Order No. 303 entitled "An Order Providing For Expeditious Establishment of Temporary Effective Minimum Prices For Coal For Which Minimum Prices Have Not Been Established in General Docket No. 15 or General Docket No. 15-A; And Providing That No Code Acceptance Filed

On And After October 1, 1940, Shall Become Effective Until 30 Days After Its Filing Unless Minimum Prices, Temporary Or Final, Are Established By The Division For Coal Of Acceptant's Mine" was issued.

Section 301.118 of this order provides that "Copies of petitions or recommendations in connection with Code members' petitions which are filed by a District Board with the Division pursuant to this order shall be served by mail, on or before the date such petitions or recommendations are filed with the Division, upon all other District Boards and upon each

**TITLE 32—NATIONAL DEFENSE**

**Chapter VI—Selective Service System**

[No. 95]

**FILING FOLDER**

**ORDER PRESCRIBING FORM**

By virtue of the Selective Training and Service Act of 1940 (54 Stat. 835), and the authority vested in me by the rules and regulations prescribed by the President thereunder and more particularly the provisions of § 605.51 of the Selective Service Regulations, I hereby prescribe the following change in DSS forms:

Addition of a new form designated as DSS Form 54, entitled "Filing Folder," effective immediately upon the filing hereof with the Division of the Federal Register.

The foregoing addition shall, effective immediately upon the filing hereof with the Division of the Federal Register, become a part of the Selective Service Regulations.

LEWIS B. HERSHEY,  
Director.

APRIL 13, 1942,

[F. R. Doc. 42-6335; Filed, July 21, 1942; 2:10 p. m.]

<sup>1</sup> Filed as part of the original document.

Chapter VIII—Board of Economic Warfare

[Amendment No. 10]

Subchapter B—Export Control

PART 801—GENERAL REGULATIONS

WATCHES WITH JEWELS

Section 801.2 *Prohibited exportations*<sup>1</sup> is hereby amended in the following particulars:

In the column headed "Gen. Lic. Group", the group designation assigned to the commodity listed below (at every place where said commodity appears in said section) is amended to read as follows:

Commodity: *Gen. Lic. Group*  
Watches, with jewels..... 1, 47

This amendment shall become effective July 18, 1942.

(Sec. 6, 54 Stat. 714, Pub. Law 75, 77th Cong., Pub. Law 638, 77th Cong.; Order No. 3, Delegations of Authority Nos. 25 and 26, 7 F.R. 4951)

Dated: July 18, 1942.

F. R. KERR,  
Chief, Exports Control Branch,  
Office of Exports.

[F. R. Doc. 42-6927; Filed, July 21, 1942; 12:29 p. m.]

Chapter IX—War Production Board

Subchapter B—Director General for Operations

PART 1042—IMPORTS OF STRATEGIC MATERIALS

[Amendment 2 of General Imports Order M-63, as Amended June 2, 1942]

1. Section 1042.1 *General Imports Order M-63*, as Amended June 2, 1942<sup>2</sup> is hereby amended by making the following changes in List I, List II, and List III:

Change	Material	Com- merce import class No.
Add to List I.....	Silver: Ores and base bullion, valuable chiefly for silver content.	6819.5
	Concentrates, valu- able chiefly for sil- ver content.	1 N.S.O.
	Bullion, refined.....	6819.6
	Coin, foreign.....	6819.8
	Sweepings and scrap, including silver sul- phides.	6819.9
	Semi-processed items, valuable chiefly for silver content.	1 N.S.O.
	Compounds, mix- tures, and salts, valuable chiefly for silver content.	1 N.S.O.
Move from List I to List II.	Balsa wood: Logs.....	4029.1
	Sawed boards, planks, deals, and sawed timber.	4118.0
Move from List I to List III.	Cottonseed oil fatty acids.	226.22
	Hempseed.....	2238.0
	Sesame seed.....	2234.0
	Sunflower seed.....	2240.0
	Wool (apparel, finer than 44's). On the skin.	3521.0

<sup>1</sup> 7 F.R. 4952, 5080, 5115, 5343.

<sup>2</sup> 7 F.R. 4199, 4404, 4878.

Change	Material	Com- merce import class No.	
Add to List II.....	Cottonseed hull fibre....	1 N.S.O.	
	Goat and kid skin furs..	0711.4	
	Mahogany, rough (not further manufactured than sawed).	4202.1	
	Mahogany, dressed (sawed and not fur- ther manufactured than planed, tongued, and grooved).	4204.1	
	Mica splittings.....	5561.7	
	Rapeseed.....	2237.0	
	Move from List II to List III.	Agave carpet yarns, dyed or undyed.	1 N.S.O.
		Lamb and sheep fur.....	0711.3
	Add to List III.....	Hempseed oil.....	226.03
		Sesame oil.....	1428.2
Fatty acids and salts from animal oils.		2249.0	
Hydrogenated or hard- ened oils and fats, vegetable or animal.		1 N.S.O.	
Combinations and mix- tures of animal, vege- table, or mineral oils, or any of them, with or without other sub- stances, not speci- fically provided for.		226.10	
Fatty acids, not speci- fically provided for, derived from vege- table oils, animal or fish oils, animal fats and greases, not else- where specified		226.12	
Linseed oil.....		226.21	
Soybean oil.....		226.23	
Other not elsewhere specified.		226.21	
Salts derived from vege- table oils, animal oils, fish oils, animal fats and greases, not else- where specified, or from fatty acids thereof.		226.23	
Fatty alcohols and fatty acids sulphated, not elsewhere specified, and salts of fatty acids sulphated not else- where specified.		226.23	
Vegetable soapstock....		1 N.S.O.	
Other vegetable oil foots.		1 N.S.O.	
Tea, not specially pro- vided for.		1521.0	

<sup>1</sup> N. S. C.—No separate class. Commodity number has not yet been assigned by the Department of Commerce, Statistical Classification of Imports.

2. This amendment shall take effect on July 21, 1942.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 21st day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6943; Filed, July 21, 1942; 3:54 p. m.]

PART 933—COPPER

[Supplementary Conservation Order M-9-c-4]

§ 933.15 *Supplementary Conservation Order M-9-c-4—(a) Definitions*. For the purposes of this order:

(1) "Copper" means unalloyed copper metal. It shall include unalloyed copper metal produced from scrap.

(2) "Copper base alloy" means any alloy metal in the composition of which the percentage of copper metal by weight equals or exceeds 40% of the total weight of the alloy metal. It shall include alloy metal produced from scrap.

(3) "Copper or copper base alloy pipe or tubing" means any pipe, tube or tubing into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 5% of copper or copper base alloy by weight).

(4) "Copper or copper base alloy building material" means any of the following items, whether fabricated or unfabricated, into which there has been incorporated any copper or copper base alloy (except as plating or where the item contains less than 5% of copper or copper base alloy by weight):

- Grilles
- Gutters, leaders, downspouts, expansion joints and accessories thereto.
- Mouldings.
- Nails.
- Ornamental metal work.
- Railings.
- Reglets.
- Roof, roofing, flashing valleys, and other roofing items.
- Sheet, roll, and strip for building construction.
- Stair and threshold treads.
- Terrazzo strips.
- Termite shields.
- Weatherstripping and insulation.

(For copper and copper base alloy screening, see Conservation Order M-9-c (§ 933.4) as amended April 9, 1942 and May 7, 1942.)

(5) "Scrap dealer" means any person regularly engaged in the business of buying and selling scrap.

(6) "Scrap" means all copper or copper base alloy materials or objects which are the waste or by-product of industrial fabrication or which have been discarded on account of obsolescence, failure or other reason.

(7) "To install in or connect to a building" means to attach or build material to or into a structure but does not mean to attach or build material to or into a machine, heater, refrigerator or other device which itself has been or may be attached or built into the structure.

(b) *Restrictions on installation*. Notwithstanding any contract or agreement to the contrary or the receipt of any preference rating, on and after July 22, 1942, no person shall install in or connect to a building any copper or copper base alloy pipe or tubing for use as a service line or for plumbing or heating purposes and no person shall install in or connect to a building any copper or copper base alloy building material, except that:

(1) Any person may install in or connect to a building copper or copper base alloy pipe, tubing or building material in an aggregate amount not in excess of 25 pounds for each necessary repair of a building provided that such pipe, tubing or building material is used to repair or replace copper or copper base alloy pipe, tubing or building material; and

(2) Any person may install in or connect to a building any copper or copper base alloy pipe, tubing or building material purchased by or for the account of the Army or Navy of the United States, the United States Maritime Commission, the War Shipping Administration, the Coast Guard, or the Panama Canal: *Provided, however,* That nothing in this order shall supersede any applicable instructions to any officers of the foregoing, including without limitation the directive for War Time Construction dated May 20, 1942, issued by the Chairman of the War Production Board, the Secretary of War and the Secretary of the Navy or of the List of Prohibited Items for Construction Work dated April 1, 1942, issued by the Army and Navy Munitions Board, as amended from time to time; and

(3) Any person may install in or connect to a building any copper or copper base alloy pipe, tubing or building material upon the written authorization of the Director General for Operations authorizing the specific installation. Applications for such authorization may be made by letter setting forth the reasons why the person believes such material should be installed in or connected to a building.

(c) *Restrictions on delivery.* Notwithstanding any contract or agreement to the contrary or the receipt of any preference rating, on and after July 22, 1942, no person shall deliver any copper or copper base alloy pipe, tubing or building material for the purpose of installation in or connection to a building, as such operation is defined in paragraph (a) (7) hereof, otherwise than as permitted by paragraph (b) of this order, and no person shall accept delivery thereof for such a purpose. The foregoing shall not prevent

(1) Delivery to, or acceptance of delivery by, a scrap dealer or a brass mill; or

(2) Delivery to, or acceptance of delivery by, Defense Supplies Corporation, Metals Reserve Company or any other corporation organized under section 5 (d) of the Reconstruction Finance Act as amended (except Defense Plant Corporation) or any person acting as agent for any such corporation (except Defense Plant Corporation); or

(3) Delivery to, or acceptance of delivery by, any person of any copper or copper base alloy pipe, tubing or building material upon the written authorization of the Director General for Operations authorizing the specific delivery. Applications for such authorization may be made by the person seeking to make delivery, by letter setting forth the reasons why the Person believes such material should be delivered.

(d) *Communications to the War Production Board.* All requests for authorizations and communications referring to this Order, shall, unless otherwise directed, be addressed to: War Production Board, Copper Branch, Washington, D. C. Ref: M-9-c-4.

(e) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order,

willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

ALMONY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6964; Filed, July 23, 1942;  
11:10 a. m.]

**PART 942—COTTON LINTERS AND HULL FIBRE**  
[General Preference Order M-12, as Amended  
July 22, 1942]

"Part 942—Cotton Linters" is hereby amended to read "Part 942—Cotton Linters and Hull Fibre."

Section 942.1 *General Preference Order M-12*, as amended and extended<sup>1</sup> is hereby amended to read as follows:

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cotton linters and hull fibre, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 942.1 *General Preference Order M-12*—(a) *Definitions.* For the purposes of this order:

(1) "Cotton linters" means the residual fibres removed by mechanical process from cottonseed and produced in three qualities commonly referred to as "mill runs," "first cuts" and "second cuts."

(2) "Hull fibre" means the fibres removed by mechanical process from cottonseed hulls.

(3) "Motes" means the fibrous waste materials resulting principally from the moting operation of linter machines.

(4) "Chemical cotton pulp" means pulp manufactured by chemically purifying cotton linters or hull fibre, sometimes described as "cotton linter pulp" or "cottonseed hull shavings pulp."

(5) "Producers of chemical cotton pulp" means those persons specifically designated as such by the Director General for Operations of the War Production Board.

(6) "Mill" means any plant producing cotton linters, hull fibre or motes.

(b) *Restrictions on delivery and use.*

(1) On and after August 1, 1942, no person shall deliver cotton linters or hull fibre to any person other than producers of chemical cotton pulp and no person other than such producers shall accept delivery of or use cotton linters or hull

fibre subject to the exemption provided for in paragraph (b) (3) and to the provisions covering special permits set forth in paragraph (e).

(2) Producers of chemical cotton pulp shall use cotton linters and hull fibre only in the manufacture of chemical cotton pulp;

(3) The restrictions provided for in paragraph (b) (1) and (b) (2) hereof shall not apply to delivery, acceptance of delivery or use of cotton linters or hull fibre acquired prior to August 1, 1942: *Provided, however,* That any such delivery, acceptance of delivery or use shall be subject to all restrictions with respect thereto imposed under General Preference Order M-12 as in effect prior to this amendment.

(c) *Compulsory acceptance of orders.* Each producer and each importer of cotton linters and/or hull fibre shall, to the extent of his production or importation, fill all orders of producers of chemical cotton pulp for cotton linters and/or hull fibre, in the order in which received and without regard to preference ratings, at not to exceed regularly established prices and terms of sale or payment.

(d) *Production of cotton linters, hull fibre and motes.* (1) Each producer of cotton linters, hull fibre or motes shall comply with such directions as may be given from time to time by the Director General for Operations of the War Production Board with respect to the operation of his mill, which directions shall be based primarily upon insuring that each mill shall be so operated that the maximum quantity of cotton linters shall be recovered from the cottonseed processed; that each mill shall produce cotton linters or hull fibre only of such quality as shall be suitable for use by producers of chemical cotton pulp and that motes, if produced, shall not contain any cotton linters or hull fibre which could be removed by the efficient operation of the mill;

(2) If both first cuts and second cuts are produced at any mill, the production of first cuts during any month shall not exceed 20% of the total production of cotton linters and hull fibre for the month;

(3) First cuts, second cuts, mill runs, hull fibre and motes shall be baled separately.

(e) *Special permits.* Special authorization for delivery, acceptance of delivery and use of cotton linters and hull fibre may be granted by the Director General for Operations upon application of any person affected by this order in, among others, the following cases:

(1) To permit delivery and use of imported cotton linters equal to United States Grade No. 3, purchased on or prior to November 5, 1941;

(2) To permit delivery and use of imported cotton linters equal to United States Grade No. 2 or higher;

(3) To permit delivery and use of domestic cotton linters obtained by the delinting of cottonseed used for planting purposes.

(f) *Grading of imports.* Each person, other than the United States Government or any agency thereof or a pro-

<sup>1</sup> 6 F.R. 4212, 4710, 5648.

ducer of chemical cotton pulp, importing cotton linters, hull fibre or motes into the United States shall cause all imported cotton linters, hull fibre and motes to be sampled and graded in accordance with instructions, rules and regulations of the Board of Cotton Linters Examiners of the United States Department of Agriculture.

(g) *Applications and reports.* In addition to such other reports as may from time to time be required by the Director General for Operations, each person producing cotton linters, hull fibre or motes shall file Form PD-110 (Revised 8-1-42) in the manner prescribed therein on or before September 5, 1942, and on or before the 5th day of each month thereafter.

(h) *Notification of customers.* Producers and distributors of cotton linters, hull fibre or motes shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(i) *Miscellaneous provisions.*—(1) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of cotton linters, hull fibre or motes, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(2) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Branch, Washington, D. C.—Ref: M-12. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6966; Filed, July 22, 1942;  
11:11 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Amendment 2 to Priorities Regulation 10]

Section 944.31 *Priorities Regulation No. 10,* paragraph (a) (2) is hereby amended to read as follows:

(2) All purchase orders or contracts placed prior to July 1, 1942, calling for delivery after July 31, 1942. Any person who has placed such a purchase order or contract may at any time hereafter, and shall, as soon as possible, and in any case, before August 31, 1942, notify the person with whom such purchase order or contract has been placed of the symbols applicable thereto.

(P.D. Reg. 1, as amended 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

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AMORY HOUGHTON,  
Director General for Operations.

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11:12 a. m.]

PART 1015—CELLOPHANE AND SIMILAR TRANSPARENT MATERIALS DERIVED FROM CELLULOSE

[Amendment 1 to Limitation Order L-20 as Amended June 8, 1942]

Section 1015.1 (*Limitation Order L-20*, as amended June 8, 1942) is hereby amended as follows:

Subparagraph (27) of paragraph (b) is hereby amended to read as follows:

(27) All window cartons, except for food products.

Paragraph (b) is hereby amended to add the following subparagraph (28):

(28) All carton overwraps where used as a protection for the carton rather than for the product itself.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6961; Filed, July 22, 1942;  
11:10 a. m.]

PART 1046—SUPPLIERS

[Exemption 6 to Suppliers' Inventory Limitation Order L-63]

§ 1046.9 *Exemption 6 to Suppliers' Inventory Limitation Order L-63,* (a) Pursuant to paragraph (b) (6) of Sup-

<sup>1</sup> 7 F.R. 4198, 4833.

<sup>2</sup> 7 F.R. 4329.

<sup>3</sup> 7 F.R. 2630, 3081, 3390, 3662, 3878, 4480.

pliers' Inventory Limitation Order No. L-63 as amended, the Director General for Operations hereby exempts from the provisions of said order, the types of material set forth in paragraph (b) of this exemption.

Accordingly, it is not necessary for Suppliers to include in the monthly record and report required by paragraph (c) of said Order L-63, those materials set forth in paragraph (b) hereof.

Also, the inventory limitations imposed by paragraphs (b) (1) and (b) (2) of said Order L-63, are not applicable to said materials but are applicable to other materials falling within the definitions of supplies in said order.

(b) This exemption is applicable to

(1) Functional replacement parts for machinery and equipment: *Provided,* That in no event shall the distributor accept delivery of any such parts where his inventory thereof is, or will by virtue of such delivery become in excess of six times his sales during the second preceding calendar month.

(2) Machinery or equipment which is purchased by the supplier at a cost per unit in excess of \$500.

(3) Any material which is subject to rationing by the Office of Price Administration. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6962; Filed, July 22, 1942;  
11:10 a. m.]

PART 1149—IMPORTED EGYPTIAN COTTON  
[Amendment 1 to Conservation Order M-117]

Section 1149.1 (*Conservation Order M-117*) is hereby amended to read as follows:

§ 1149.1 *Conservation Order M-117*—  
(a) *Definitions.* For the purposes of this order:

(1) "Reserved Egyptian cotton" means raw cotton in unopened bales (including bales opened only for sampling or testing) of the following specifications:

Variety, Giza 7. Grade: "Good to Fully Good" and better. Staple: Nothing below "Good" staple.

Variety, Sudan.

Variety, Sakha 4.

Variety, Sakellaridis.

Variety, Malaki (Giza 26).

Variety, Karnak (Giza 29). All five varieties with grade—"Fully Good" and better and staple—nothing below "Good" staple.

in accordance with the recognized Egyptian standards of gradings: *Provided,* however, That with respect to Egyptian

<sup>1</sup> 7 F.R. 2539.

cotton heretofore imported into the United States, the term "Reserved Egyptian Cotton" shall include any Giza 7 cotton grading "good to fully good" and better and having a staple length of nothing below 1 $\frac{1}{16}$ " staple, and any of the other five above-mentioned varieties grading "fully good" and better and having a staple length of nothing below 1 $\frac{1}{16}$ " staple.

(2) "Stitching thread" means finished cotton thread used for stitching, including home sewing, in which reserved Egyptian cotton has heretofore been customarily used and shall also include any cotton yarns, single or plied and having a thread twist, in which such cotton has heretofore been customarily used, sold to another person to be manufactured solely into finished stitching thread, but shall not include crochet, embroidery or other fancy threads in which reserved Egyptian cotton may have heretofore been used.

(3) "Import" means to transport in any manner into the continental United States from any foreign country, and for purposes of this order, Egyptian cotton shall be deemed imported into the United States from the time it is released from the bonded custody of the United States Bureau of Customs.

(b) *Restrictions on sales, deliveries and use of reserved Egyptian cotton imported into the United States prior to July 27, 1942.* (1) No person shall put into process sell or deliver any reserved Egyptian cotton imported into the United States prior to July 27, 1942, except for the purpose of filling the following categories of purchase orders:

(i) Defense orders for fabrics or items specifically requiring the use of reserved Egyptian cotton by the terms or specifications (including performance specifications) of the prime contract involved.

(ii) For use in the manufacture of stitching thread, subject, however, to the limitations of paragraph (d).

(2) No person shall sell or deliver any reserved Egyptian cotton imported into the United States prior to July 27, 1942, unless he shall have first received from the purchaser a certificate signed by such purchaser or by a person authorized to sign in his behalf in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board, subject to the provisions of Section 35 (A) of the United States Criminal Code (18 U.S.C. 80) that the reserved Egyptian cotton to be delivered on the annexed purchase order is to be used for one or more of the purposes specified in Conservation Order M-117 for such cotton and for no other purpose; and if used for the manufacture of stitching thread will not be used by the undersigned in an amount in excess of the amount permitted for such purpose by the said order. This purchase order is for reserved Egyptian cotton imported into the United States prior to July 27, 1942.

-----  
 Name of purchaser  
 By -----  
 (Authorized person)  
 -----  
 Title  
 Date -----

(c) *Restrictions on sales, deliveries and use of reserved Egyptian cotton hereafter imported into the United States.* (1) No person, unless specifically authorized by the Director General for Operations, shall use, sell, deliver, purchase or accept delivery of reserved Egyptian cotton imported into the United States after July 27, 1942.

(2) Applications for authority to use, sell, deliver, purchase or accept delivery of any reserved Egyptian cotton hereafter imported into the United States shall be made by letter addressed as provided in paragraph (1) stating the number of bales covered by the application, the number of bales of such cotton on hand, the use to which such cotton is to be put, and the number of the contract and the originating Government agency on any purchase order therefor other than for use in the manufacture of stitching thread. No applications will be granted except pursuant to paragraph (1) for any use other than for physical incorporation into material or equipment to be manufactured on defense orders or for the manufacture of stitching thread.

(3) Notwithstanding the provisions of subparagraphs (1) and (2) such reserved Egyptian cotton may be used, sold, delivered, purchased and delivery thereof accepted upon purchase orders for such cotton:

(i) Placed on or before September 30, 1942, for physical incorporation into material or equipment to be delivered to, or for the account of, the Army or Navy of the United States or the United States Maritime Commission but only in the minimum amount required to meet the specifications (including performance specifications) of the prime contract involved: *Provided*, That the vendee shall furnish to the vendor prior to any delivery thereunder a certificate in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that he is entitled to the delivery of the reserved Egyptian cotton, covered by the annexed purchase order, pursuant to the terms of paragraph (c) (3) (i) of Conservation Order No. M-117.

-----  
 Name of purchaser  
 By -----  
 (Authorized individual)

(ii) For delivery to the Board of Economic Warfare, the Commodity Credit Corporation or any corporation organized under the authority of section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing.

(d) *Restrictions on the manufacture of stitching thread.* No person shall, during the period from July 1, 1942, to and including December 31, 1942, or, if his books are so kept, and he so elects, during the period from July 1, 1942, to and including January 2, 1943, use more reserved Egyptian cotton in the manufacture of stitching thread than 37 $\frac{1}{2}$  percent of the amount of such cotton used by him during the year 1941 for the same purposes.

(e) *Grading.* The Director General for Operations may require that any lot

of Egyptian cotton entered into the United States after July 1, 1942, be graded by referring representative samples thereof for classification to the Appeal Board of Review Examiners, United States Department of Agriculture, Washington, D. C., or at such office or offices of the said Board which may be designated for the purpose by the Department of Agriculture. The classification and findings of the said Appeal Board shall, for the purposes of this order only, be final in establishing whether any bale of cotton sample whereof has been so submitted, is or is not reserved Egyptian cotton. If upon the examination of any Egyptian cotton entered into the United States after July 1, 1942, by representatives of the United States Customs Service, any doubt or dispute arises as to whether such cotton is reserved Egyptian cotton, samples thereof shall be referred for classification for the purposes of this order only to the said Appeal Board of Review Examiners. The said Appeal Board will, in every case examined by it, transmit one copy of its findings to the War Production Board.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of reserved Egyptian cotton conserved, or that compliance with this order would disrupt or impair a program of conversion from non-defense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-117, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General For Operations may thereupon take such action as he deems appropriate.

(g) *Reports.* Each person who, on July 27, 1942, holds or owns any cotton of any specification grown in Egypt shall cause an inventory to be taken as of such date showing to the extent such information is known to him, the number of bales of each variety, staple length and grade of Egyptian cotton on hand and, to the extent known to each such person, the name of the owner or owners thereof and the address of each owner. All holders of such cotton must be prepared to execute and file with the War Production Board a report of the amount of such cotton held or owned on the said date of this order on such forms as may be prescribed by said Board. Owners and holders of such cotton must be prepared to furnish or cause the original importer to furnish the War Production Board, upon request, with import documents relating thereto, including the customs invoices on which such cotton was entered into the United States and the grade or grades established for the purpose of levying customs duties thereon. In addition, all holders and users of such cotton must be prepared to execute and file with the War Production Board such monthly or quarterly reports on forms that may be prescribed for the purpose and in the detail that may be required by the War Production Board showing stocks on hand, additions to

stocks, withdrawals from stocks, consumption by uses and such other reports or questionnaires as may be required by the War Production Board from time to time.

(h) *Records.* All owners and processors of reserved Egyptian cotton affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production and sales, and copies of all invoices of both purchases and sales relating to such cotton.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Textile, Clothing and Leather Branch, Washington, D. C., Reference: M-117.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6967; Filed, July 22, 1942;  
11:11 a. m.]

PART 1194—CANS MADE OF BLACKPLATE  
[Conservation Order M-136]

The fulfillment of requirements for defense of the United States has created a shortage in the supply of blackplate for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 1194.1 *Conservation Order M-136—*

(a) *Definitions.* (1) "Person" means any individual, partnership, association, business trust, corporation, governmental corporation or agency, or any organized group of persons, whether incorporated or not.

(2) "Blackplate" means any sheet steel, other than tinplate and terneplate, suitable for manufacture into cans. The term includes "rejects" arising out of the manufacture of blackplate, but does not include waste or scrap blackplate arising out of the manufacture of cans.

(3) "Chemically treated blackplate" means any blackplate which has been chemically treated to resist rust or corrosion.

(4) "Can" means any container which is intended for packing, packaging, or

putting of products of any kind and which is made in whole or in part of blackplate, and includes closures, crowns, or caps for cans, but does not include any closure, crown, or cap to be used on, or as a part of a glass container.

(5) "Canner" means any person engaged in the business of packing in cans products of any kind for sale to others, whether such person buys some or all of his cans from third parties or whether he manufactures some or all of his cans himself. The term does not include a person who packs products which are not to be sold, or a person who packs products for the individual home consumption of another person furnishing the products to be packed.

(6) "Can manufacturer" means any person engaged in the business of producing cans for sale to others or for his own use in packing products of any kind.

(7) "Pack" means the quantity of blackplate, by area measurement, equivalent to the area of tinplate, terneplate, and blackplate which was required for the manufacture of all sized cans made of such materials and used by the canner for packing a particular product during the period specified.

(b) *Restrictions upon the manufacture, sale, and delivery of cans.* (1) Until further order of the Director General for Operations, no can manufacturer shall manufacture, sell, or deliver to any canner, jobber, or distributor, any cans, except to the extent expressly permitted by this order, and except under purchase orders or contracts validated by delivery to such can manufacturer of a canner's certificate, manually signed by an authorized official, in substantially the form attached hereto as Exhibit "T". No certificate shall be required for the purchase of cans for packing products which are not to be sold, either from retail stores purchasing such cans for resale, or from persons purchasing such cans from retail stores.

(2) No cans for packing any product shall be manufactured with caps, bail's, or handles, when such cans are smaller than a 10-lb. syrup or honey can, or an 8-lb. lard pail.

(c) *Restrictions upon the purchase, acceptance of delivery, and use of cans.*

(1) Until further order of the Director General for Operations, no canner shall buy, accept delivery of, or use any cans except to the extent expressly permitted by this order, and all canners shall observe the restrictions imposed by Tables A and B, annexed hereto, relating to can sizes, and the extent and form of packing the particular products therein listed. Subject to the other provisions of this order, a canner may use for packing the products listed in said tables, only cans of sizes specified for packing a particular product, or cans of sizes larger than the largest size indicated for packing that product. If any general provision or restriction of this order conflicts or appears to conflict, with any specific provisions or restriction of Table A or Table B, then such specific provision or restriction shall control.

(2) For packing a product listed in Table A or Table B, a canner may use during the calendar year 1942, cans re-

quiring for their manufacture an area of blackplate, not in excess of the combined area of tinplate, terneplate, and blackplate which was required for the manufacture of the cans made of such materials and used by him during the calendar year 1940, for packing that product. A canner shall deduct from his blackplate quota for packing a particular product, the area of tinplate and terneplate which was required for the manufacture of the cans made of such materials and used by him during the calendar year 1942, or packing that product. Cans made in whole or in part of chemically treated blackplate shall be used only for packing the products listed in Table B.

(d) *Other restrictions.* No can manufacturer or canner shall use, for sealing cans to be used for packing any product listed in Table A, any compound containing crude rubber or latex, which was not prepared for this purpose on or before the date of issuance of this order.

(e) *Exceptions.* (1) Notwithstanding the restrictions imposed by this order, pertaining to sizes of cans, a can manufacturer may use for the manufacture of cans of sizes for which the material was designed: (i) any component parts of such cans which were lithographed, cut, or otherwise prepared for assembly on or before the date of issuance of this order, and (ii) any sheets of blackplate which were in the possession of the can manufacturer or produced for his account on or before the date of issuance of this order.

(2) Subject to quota restrictions, but notwithstanding the restrictions imposed by this order, pertaining to sizes of cans, a canner may use, or obtain from any can manufacturer and use, for packing products listed in Table A or Table B, cans which were manufactured on or before the date of issuance of this order, or cans which were manufactured pursuant to paragraph (e) (1).

(3) Notwithstanding the restrictions imposed by this order pertaining to the use of cans, a canner may use, or obtain from any can manufacturer and use, for packing products other than those listed in Table A or Table B, cans which were manufactured on or before the date of issuance of this order, and cans which were manufactured from component parts which were lithographed, cut, or otherwise prepared for assembly on or before the date of issuance of this order, as provided in paragraph (e) (1). Nothing in this paragraph (3) shall be construed to modify Order M-126, or any other applicable order of the Director General for Operations.

(f) *Miscellaneous provisions—*(1) *Applicability of order.* The restrictions imposed by this order shall not apply in the following cases only: (i) when cans are to be delivered pursuant to a letter of intent, purchase order, or contract, supported by a preference rating of higher than A-2, to any foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), to the Army, Navy, Maritime Commission, or War Shipping Administration of the United States or to such other govern-

mental agency as the Director General for Operations may designate; and (ii) when cans are to be set aside pursuant to Order M-86 and orders supplemental thereto, whether or not purchase orders or contracts for such canned goods have been placed by any governmental agency.

(2) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of blackplate conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense work to defense work, may appeal in writing to the War Production Board, Ref: M-136, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall, unless otherwise directed, be addressed to: Containers Branch, War Production Board, Washington, D. C.—Ref: M-136.

(4) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and, upon conviction, may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 361; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,

Director General for Operations.

EXHIBIT "I"

War Production Board, Washington, D. C.  
Ref: M-136

Canner's Certificate

Certificate required by Conservation Order M-136. One copy of this certificate is to be delivered to each can manufacturer from whom the canner purchases cans and is to cover all purchases present and future, so long as such order, in its present form or as it may be amended from time to time, remains in effect. When executed by a jobber or distributor, this certificate shall constitute a representation to the can manufacturer and to the War Production Board that such jobber or distributor will not resell such cans except upon a receipt of a similar certificate from his purchaser, if required by Order M-136.

In accordance with Conservation Order M-136, as amended (Cans Made of Blackplate), the undersigned hereby certifies to the can manufacturer and to the War Production Board that the undersigned applicant is familiar with the terms of said order, and

that said applicant will not use any cans purchased from

-----  
(Name of can manufacturer)  
-----  
(Address of can manufacturer)  
in violation of the terms of said order.  
Date-----  
(Legal name of applicant)  
-----  
By-----  
(Address of applicant) (Authorized official)  
-----  
(Title of official reporting)

Section 35A of the U. S. Criminal Code (18 U.S.C.A. 80) makes it a criminal offense to make a false statement or representation to any department or agency of the United States as to any matter within its jurisdiction.

Table A

1. *Abrasives and Grinding and Buffing Compounds.* Not to be packed dry.
2. *Cements and Dressings,* including only furnace, radiator, belting, linoleum and pipe joint. Not to be packed dry. 1-qt. or 1-gal. cans.
3. *Soldering Pastes and Boiler Scumming Compounds.*
4. *Liquid Glues and Adhesives.* 1-gal. cans.
5. *Rubber Cements,* solvent and latex. 1-gal. cans.
6. *Gasket Assembling Compounds.* 1-qt. or 1-gal. cans.
7. *Dry-Solvents,* including but not limited to toilet bowl and drain cleaners. 10-oz. cans.
8. *Phenols and Cresols.* 1-gal. cans.
9. *Disinfectants, Germicides, Fungicides, and Insecticides,* including but not limited to Cynogas. 1-gal. cans.
10. *Sodium Silicate.* 5-gal. cans.
11. *Paste Soap.* 3-lb. cans.
12. *Benzol,* including but not limited to naphtha. 1-gal. cans.
13. *Oil Paints, and Oleoresinous Paints,* ready-mixed, semi-paste, including but not limited to White Lead in oil, and colors in oil. 1-qt. or 1-gal. cans. Until September 30, 1942, not more than 50 percent of pack during the corresponding quarter of 1940 may be in 1-qt. cans, and after September 30, 1942, no paints shall be packed in cans smaller than 1-gal.
14. *Resin-emulsion Water Paints,* paste, for exterior use only, with dry protein content not to exceed 1 percent of total weight of paint. 1-qt. or 1-gal. cans. Until September 30, 1942, not more than 50 percent of pack during the corresponding quarter of 1940 may be in 1-qt. cans, and after September 30, 1942, no paints shall be packed in cans smaller than 1-gal.
15. *Varnishes.* 1-qt. or 1-gal. cans. Until September 30, 1942, not more than 50 percent of pack during the corresponding quarter of 1940 may be in 1-qt. cans, and after September 30, 1942, no varnishes shall be packed in cans smaller than 1-gal.
16. *Drying Oils.* 1-gal. cans.
17. *Printing, Duplicating, and Lithographing Ink,* 1-oz., 8-oz., 10-oz. 12-oz., 14-oz., 1-lb., 1½-lb., 2-lb., 3½-lb., 4-lb., 5-lb., 8-lb., 9-lb., 10-lb., 25-lb., or 50-lb. cans.
18. *Graphite,* only with liquid content.
19. *Lubricating Greases.* 10-lb. or 25-lb. cans.
20. *Dry Modifications of Milk,* including but not limited to malted milk. 1-lb., 5-lb., 10-lb., or 25-lb. cans. Not to be packed after September 30, 1942.
21. *Baking Powder.* Ends only for cans 6-oz. to 32-oz., inclusive. A canner's blackplate quota from the date of issuance of this order until September 30, 1942, is the area of blackplate required for making the ends only of fiber wall cans sufficient to pack 25 percent of the baking powder packed by the canner in 1941 in cans of 32-oz. and less.

Table B

1. Any product permitted to be packed by Order M-81, as amended from time to time, in the size can specified for such product, but only to the extent of the quota specified by Order M-81 for such product, after making deduction for tinplate and terneplate used, as provided by subparagraph (c) (2) of this order.

[F. R. Doc. 42-6363; Filed, July 22, 1942; 11:11 a. m.]

PART 1233—THERMOPLASTICS

[Amendment 1 to General Preference Order M-154]

Section 1233.1 (General Preference Order M-154) is hereby amended as follows:

Paragraph (d) is hereby amended by striking the words and figures "15th of July, 1942" in the opening paragraph and substituting in their place the words and figures "15th of August, 1942."

The opening paragraph of paragraph (b) is hereby amended to read as follows:

(b) *Placing of orders.* No producer shall accept and no person shall tender an order for delivery of thermoplastics, where such delivery is to be made on or after August 15, 1942, unless such order is accompanied by a certificate manually signed by the person (or his duly authorized agent) tendering such order containing representations by the person seeking delivery of thermoplastics: \* \* \*

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2(a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,

Director General for Operations.

[F. R. Doc. 42-6359; Filed, July 22, 1942; 11:11 a. m.]

PART 1261—LABORATORY EQUIPMENT

[Supplementary Order L-144-a]

§ 1261.2 *Supplementary Order L-144-a.* Pursuant to paragraph (b) (2) (vi) of General Limitation Order L-144<sup>1</sup> which this order supplements, the Director General for Operations hereby determines that the following use of laboratory equipment is necessary and appropriate in the public interest:

(a) Use of any high school type microscope (single tube, double nose-piece, and without condenser) manufactured prior to June 12, 1942 or thereafter assembled from parts manufactured prior to said date.

(P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th

<sup>1</sup>7 F.R. 4842.  
<sup>2</sup>7 F.R. 4452.

Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July, 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6963; Filed, July 22, 1942;  
11:10 a. m.]

PART 3018—AMERICAN EXTRA STAPLE  
COTTON

[Conservation Order M-197]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of American extra staple cotton for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense.

§ 3018.1 *Conservation Order M-197—*  
(a) *Definitions.* For the purposes of this order:

(1) "Reserved American extra staple cotton" means any raw cotton in unopened bales (including bales opened only for the purposes of sampling or testing) of the following specifications, grown within the Western Hemisphere,

SXP Variety, grading No. 2 or higher and with staple of  $1\frac{1}{16}$ " or longer.

Plima Variety (including both United States and Peruvian), grading No. 2 or higher and with staple of  $1\frac{1}{2}$ " or longer.

Sea Island Variety, grading No. 2½ or higher and with staple of  $1\frac{1}{2}$ " or longer.

in accordance with the official grading standards of the United States.

(2) "Stitching thread" means finished cotton thread used for stitching including home sewing in which reserved American extra staple cotton or reserved Egyptian cotton as defined in Conservation Order No. M-117 has heretofore been customarily used and shall also include any cotton yarns, single or plied and having a thread twist, in which such cotton has heretofore been customarily used, sold to another person to be manufactured solely into finished stitching thread, but shall not include crochet, embroidery or other fancy threads in which reserved American extra staple cotton or reserved Egyptian cotton may have heretofore been used.

(3) "Import" means to transport in any manner into the continental United States from any foreign country, and for purposes of this order, American extra staple cotton shall be deemed imported into the United States from the time it is released from the bonded custody of the United States Bureau of Customs.

(b) *Restrictions on sales, deliveries and uses of reserved American extra staple cotton ginned in the United States or imported into the United States prior to July 27, 1942.* (1) No person shall put into process, sell or deliver any reserved American extra staple cotton ginned in the United States or imported into the United States, as the case may be, prior to July 27, 1942, except for the purpose of filling the following categories of purchase orders:

(i) Defense orders for fabrics or items specifically requiring the use of reserved American extra staple cotton or reserved Egyptian cotton by the terms or specifications (including performance specifications) of the prime contract involved.

(ii) For use in the manufacture of stitching thread subject, however, to the limitations of paragraph (d).

(2) No person shall sell or deliver any reserved American extra staple cotton ginned within the United States or imported into the United States prior to July 27, 1942, unless he shall have first received from the purchaser a certificate signed by such purchaser, or by a person authorized to sign in his behalf, in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board, subject to the provisions of Section 35 (A) of the United States Criminal Code (18 U.S.C. 80) that the reserved American extra staple cotton to be delivered on the annexed purchase order is to be used for one or more of the purposes specified in Conservation Order M-197 for such cotton and for no other purposes; and if used for the manufacture of stitching thread will not be used by the undersigned in an amount in excess of the amount permitted for such purpose by the said order. This purchase order is for reserved American extra staple cotton ginned within or imported into the United States prior to July 27, 1942.

-----  
Name of Purchaser  
By -----  
(Authorized Person)  
-----  
Title

Date

(c) *Restrictions on sales, deliveries and use of reserved American extra staple cotton hereafter ginned within or imported into the United States.* (1) No person, unless specifically authorized by the Director General for Operations, shall use, sell, deliver, purchase or accept delivery of reserved American extra staple cotton ginned within or imported into the United States after July 27, 1942.

(2) Applications for authority to use, sell, deliver, purchase or accept delivery of any reserved American extra staple cotton hereafter ginned within or imported into the United States shall be made by letter addressed as provided in paragraph (i) stating the number of bales covered by the application, the number of bales of such cotton on hand, the use to which such cotton is to be put, and the number of the contract and the originating Government agency on any purchase order therefor other than for use in the manufacture of stitching thread. No applications will be granted except pursuant to paragraph (f) for any use other than for physical incorporation into material or equipment to be manufactured on defense orders or for the manufacture of stitching thread.

(3) Notwithstanding the provisions of subparagraphs (1) and (2), such reserved American extra staple cotton may be used, sold, delivered, purchased and delivery thereof accepted upon purchase orders for such cotton:

(i) Placed on or before September 30, 1942, for physical incorporation into material or equipment to be delivered to, or for the account of, the Army or Navy of the United States or the United States Maritime Commission, but only in the minimum amount required to meet the specifications (including performance specifications) of the prime contract involved: *Provided*, That the vendee shall furnish to the vendor prior to any delivery thereunder a certificate in substantially the following form:

The undersigned hereby certifies to his vendor and to the War Production Board that he is entitled to the delivery of the reserved American extra staple cotton, covered by the annexed purchase order, pursuant to the terms of paragraph (c) (3) (i) of Conservation Order M-197.

-----  
Name of Purchaser  
By -----  
(Authorized Individual)

(ii) For delivery to the Board of Economic Warfare, the Commodity Credit Corporation or any corporation organized under the authority of Section 5d of the Reconstruction Finance Corporation Act, as amended, or any representative designated for the purpose by any of the foregoing.

(d) *Restrictions on the manufacture of stitching thread.* No person shall, during the period from July 1, 1942, to and including December 31, 1942, or, if his books are so kept, and he so elects, during the period from July 1, 1942, to and including January 2, 1943, use more reserved American extra staple cotton in the manufacture of stitching thread, than:

(1)  $37\frac{1}{2}\%$  of the total amount of reserved American extra staple cotton and reserved Egyptian cotton (as defined in Conservation Order M-117, § 1149.1)<sup>1</sup> used by such person for the manufacture of stitching thread in the year 1941, minus

(2) The actual amount of reserved Egyptian cotton used or scheduled to be used by such person in the second half of 1942 for the manufacture of stitching thread pursuant to the limitations described in Conservation Order M-117.

(e) *Grading.* The Director General for Operations may require that any lot of American extra staple cotton entered into the United States after July 1, 1942, or ginned within the United States after said date, be graded by referring representative samples thereof for classification to the Appeal Board of Review Examiners, United States Department of Agriculture, Washington, D. C., or at such office or offices of the said Board which may be designated for the purpose by the Department of Agriculture. The classification and findings of the said Appeal Board shall, for the purposes of this order only, be final in establishing whether any bale of cotton sample whereof has been so submitted, is or is not reserved American extra staple cotton. If upon the examination of any American extra staple cotton entered into the United States after July 1, 1942, by representatives of the United

<sup>1</sup> 7 F.R. 2539, and *supra*.

States Customs Service, any doubt or dispute arises as to whether such cotton is reserved American extra staple cotton, samples thereof shall be referred for classification for the purposes of this order only to the said Appeal Board of Review Examiners. The said Appeal Board will, in every case examined by it, transmit one copy of its findings to the War Production Board.

(f) *Appeal.* Any person affected by this order who considers that compliance therewith would work an exceptional and unreasonable hardship upon him, or that it would result in a degree of unemployment which would be unreasonably disproportionate compared with the amount of reserved American extra staple cotton conserved, or that compliance with this order would disrupt or impair a program of conversion from nondefense to defense work, may appeal to the War Production Board by letter or telegram, Reference M-197, setting forth the pertinent facts and the reason he considers he is entitled to relief. The Director General for Operations may thereupon take such action as he deems appropriate.

(g) *Reports.* Each person who, on July 27, 1942, holds or owns any cotton of any specification grown in the Western Hemisphere shall cause an inventory to be taken as of such date showing, to the extent such information is known to him, the number of bales of each variety, staple length and grade of American extra staple cotton on hand, and, to the extent known to each such person, the name of the owner or owners thereof and the address of each owner. All holders of such-cotton must be prepared to execute and file with the War Production Board a report of the amount of such cotton held or owned on the said date of this order on such forms as may be prescribed by said Board. Owners and holders of such cotton must be prepared to furnish or cause the original importer to furnish the War Production Board, upon request, with import documents relating thereto, including the customs invoices on which such cotton was entered into the United States and the grade or grades established for the purpose of levying customs duties thereon. In addition, all holders and users of such cotton must be prepared to execute and file with the War Production Board such monthly or quarterly reports on forms that may be prescribed for the purpose and in the detail that may be required by the War Production Board showing stocks on hand, additions to stocks, withdrawals from stocks, consumption by uses and such other reports or questionnaires as may be required by the War Production Board from time to time.

(h) *Records.* All owners and processors of reserved American extra staple cotton affected by this order shall keep and preserve for not less than two years accurate and complete records concerning inventories, production, and sales, and copies of all invoices of both purchases and sales relating to such cotton.

(i) *Communications to the War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War

Production Board, Textile, Clothing and Leather Branch, Washington, D. C.—Reference: M-197.

(j) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance. (P.D. Reg. 1, as amended, 6 F.R. 6680; W.P.B. Reg. 1, 7 F.R. 561; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 22d day of July 1942.

AMORY HOUGHTON,  
Director General for Operations.

[F. R. Doc. 42-6970; Filed, July 23, 1942;  
11:11 a. m.]

#### Chapter XI—Office of Price Administration

##### PART 1388—DEFENSE-RENTAL AREAS ACCOMMODATIONS OTHER THAN HOTELS AND ROOMING HOUSES

Supplementary Amendment No. 1 of Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses.

Paragraph (b) (3) of §§ 1388.11, 1388.61, 1388.111, 1388.161, 1388.211, 1388.261, 1388.311, 1388.361, 1388.411, 1388.461, 1388.511, 1388.561, 1388.611, 1388.661, 1388.711, 1388.761, 1388.811, 1388.861, 1388.911, 1388.961, 1388.1011, 1388.1651, 1388.1701, 1388.1751, and 1388.1801 of Maximum Rent Regulations Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 25, 26, 27, and 28, respectively,<sup>1</sup> is hereby amended to read as follows:

(3) Rooms or other housing accommodations within hotels or rooming houses, or housing accommodations which have been, with the consent of the Administrator, brought under the control of the Maximum Rent Regulation for Hotels and Rooming Houses pursuant to the provisions of that regulation: *Provided*, That this Maximum Rent Regulation does apply to entire structures or premises though used as hotels or rooming houses.

This Supplementary Amendment No. 1 of Maximum Rent Regulations for Housing Accommodations other than Hotels and Rooming Houses shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6934; Filed, July 21, 1942;  
12:32 p. m.]

<sup>1</sup> Issues of May 30; June 12, 16, 27; July 1, 14, 1942.

#### PART 1388—DEFENSE-RENTAL AREAS

##### HOTELS AND ROOMING HOUSES

Supplementary Amendment No. 1 of Maximum Rent Regulations For Hotels and Rooming Houses.

Sections 1388.1501, 1388.1551, 1388.1601, 1388.1851, 1388.1901, 1388.1951, and 1388.2001 of Maximum Rent Regulations Nos. 21A, 22A, 23A, 29A, 30A, 31A, and 32A, respectively,<sup>1</sup> are hereby amended by adding the following paragraph (e) to each of these sections:

(e) Where a building or establishment which does not come within the definitions of a hotel or rooming house contains one or more furnished rooms or other furnished housing accommodations rented on daily, weekly or monthly basis, the landlord may, with the consent of the Administrator, elect to bring all housing accommodations within such building or establishment under the control of this Maximum Rent Regulation. A landlord who so elects shall file a registration statement under this Maximum Rent Regulation for all such housing accommodations, accompanied by a written request to the Administrator to consent to such election.

If the Administrator finds that the provisions of this Maximum Rent Regulation establishing maximum rents are better adapted to the rental practices for such building or establishment than the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, he shall consent to the landlord's election. Upon such consent, all housing accommodations within such building or establishment which are or hereafter may be rented or offered for rent shall become subject to the provisions of this Maximum Rent Regulation, and shall be considered rooms within a rooming house for the purposes of the provisions relating to eviction.

The landlord may at any time, with the consent of the Administrator, revoke his election, and thereby bring under the control of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses all housing accommodations previously brought under this Maximum Rent Regulation by such election. He shall make such revocation by filing a registration statement or statements under the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses, including in such registration statement or statements all housing accommodations brought under this Maximum Rent Regulation by such election. Such registration statement or statements shall be accompanied by a written request to the Administrator to consent to such revocation. The Administrator may defer action on such request if he has taken or is about to take action to decrease the maximum rents of any housing accommodations within such building or establishment. If the Administrator finds that the revocation so requested will not result in substantial increases in the maximum

<sup>1</sup> Issues of June 27, July 1, 1942.

rents of housing accommodations affected by such revocation, he shall give such consent. Upon such consent, all housing accommodations affected by such revocation shall become subject to the provisions of the Maximum Rent Regulation for Housing Accommodations other than Hotels and Rooming Houses.

This Supplementary Amendment No. 1 of Maximum Rent Regulations for Hotels and Rooming Houses shall become effective July 21, 1942.

(Pub. Law 421, 77th Cong.)

Issued this 21st day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6928; Filed, July 21, 1942;  
12:32 p. m.]

#### PART 1405—FERRO-ALLOYS

[Amendment 1 to Maximum Price Regulation 138<sup>1</sup>]

##### STANDARD FERROMANGANESE

A statement of the considerations involved in the issuance of this Amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.<sup>2</sup>

Paragraph (d) of § 1405.10 is amended to read as set forth below, a new paragraph (e) is added and a new § 1405.11a is added:

§ 1405.10 *Appendix A: Maximum prices for standard ferromanganese.*  
\* \* \*

(d) Standard ferromanganese when crushed and pressed into briquettes weighing 3 pounds, with binding material, and containing 2 pounds of manganese content by weight may be sold at the following maximum prices:

*Cents per lb.  
of briquettes*

(1) Carload lots, unpacked.....	6.06
(2) Carload lots, packed.....	6.31
(3) Ton lots, packed.....	6.56
(4) Less than gross ton lots:	
(1) Down to 200 lbs., packed.....	6.81
(11) Less than 200 lbs., packed.....	7.06

These maximum prices for standard ferromanganese briquettes are f. o. b. seller's usual shipping point with an allowance to purchaser for railway freight charges to point of destination, provided, however, that this allowance need not be in excess of railway freight charges from seller's usual shipping point to St. Louis, Missouri.

(e) The maximum prices set forth above shall not be increased by any charges for the extension of credit and shall be reduced by ½ of 1% for payment within 10 days of delivery.

<sup>1</sup> 7 F. R. 3212.

<sup>2</sup> Copies may be obtained from the Office of Price Administration.

§ 1405.11a *Effective dates of amendments.* Amendment No. 1 (§ 1405.10 (d), (e)) to Maximum Price Regulation No. 138 shall become effective July 25, 1942.

Issued this 21st day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6932; Filed, July 21, 1942;  
12:35 p. m.]

#### PART 1499—COMMODITIES AND SERVICES

[Maximum Prices Authorized Under § 1499.3 (b) of the General Maximum Price Regulation Order 37]

##### NICKEL ANODE PRICES—METALS RESERVE CO.

For the reasons set forth in an Opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to and under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and § 1499.3 (b) of the General Maximum Price Regulation, it is hereby ordered that:

§ 1499.251 *Maximum prices for new and partly used nickel anodes sold by nickel platers to the Metals Reserve Company.* (a) On and after July 22, 1942, any nickel plater may sell to the Metals Reserve Company, Washington, D. C., or its duly authorized agent or agents, and the Metals Reserve Company or its duly authorized agent or agents may purchase new nickel anodes, at a price not in excess of 46¢ per pound (weight without hooks), f. o. b. present location of material and partly used nickel anodes at a price not in excess of 43¢ per pound (weight without hooks), f. o. b. present location of material.

(b) *Maximum prices for new and partly used nickel anodes sold by the Metals Reserve Company for nickel plating purposes.* On and after July 22, 1942, the Metals Reserve Company, Washington, D. C. or its duly authorized agent or agents may sell and deliver to any person designated by the Director of Industry Operations, War Production Board, and any such person may purchase for nickel plating purposes, new nickel anodes at a price not in excess of 46¢ per pound (weight without hooks) f. o. b. present location of material, and partly used nickel anodes at a price not in excess of 43¢ per pound (weight without hooks), f. o. b. present location of material. Nothing in this section, however, shall supersede or modify the provision of Amendment No. 2<sup>2</sup> to Revised Price Schedule No. 8.<sup>3</sup>

(c) This Order No. 37 may be revoked or amended by the Office of Price Administration at any time.

<sup>1</sup> 7 F. R. 3153, 3330, 3666, 3990, 3991, 4339, 4487, 4659, 4738, 5027.

<sup>2</sup> 7 F. R. 3270.

<sup>3</sup> 7 F. R. 1224, 1836, 2132, 3123, 3270, 3519, 4493.

(d) This Order No. 37 (§ 1499.251) shall become effective July 22, 1942.

(Public Law 421, 77th Cong.)

Issued this 21st day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6933; Filed, July 21, 1942;  
12:32 p. m.]

## Notices

### DEPARTMENT OF THE INTERIOR.

#### Bituminous Coal Division.

[Docket No. A-1389]

#### DISTRICT BOARD 11—PYRAMID COAL CO.

##### ORDER OF DISMISSAL

In the matter of the petition of District Board No. 11 for the establishment of a deduction of 10 cents per net ton for freight rate differentials applicable on shipments from the Bobolink Mine (Mine Index No. 11) of the Pyramid Coal Corporation, to Market Area No. 33 (Terre Haute, Indiana), pursuant to section 4 II (d) of the Bituminous Coal Act of 1937.

The above-entitled petition having been duly set for hearing before J. D. Dermody, a duly designated Examiner of the Division, on July 14, 1942; and

The original petitioner having filed a motion to withdraw the petition and having failed, therefore, to appear at the hearing; and there being no objection to the dismissal of the petition herein; and it appearing that no right will be prejudiced thereby:

*It is ordered,* That the above-entitled petition be dismissed without prejudice.  
Dated: July 21, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6973; Filed, July 22, 1942;  
11:15 a. m.]

[Docket No. A-1459, Part II]

#### DISTRICT BOARD 17

##### ORDER POSTPONING AND CHANGING PLACE OF HEARING

In the matter of the petition of District Board No. 17 for establishment and revision of price classifications and minimum prices for the I. H. I. No. 2 Mine and the North Canyon Mine.

A hearing in the above-entitled matter having been scheduled to be held at Washington, D. C., on July 22, 1942; and

It now appearing advisable that such hearing be postponed and the place of hearing changed to Denver, Colorado;

*Now, therefore, it is ordered,* That the hearing in the above-entitled matter be postponed from 10 o'clock in the forenoon of July 22, 1942, until 10 o'clock in the forenoon of August 11, 1942, and

that the place of hearing be changed from Washington, D. C., to a hearing room of the Bituminous Coal Division at Room 337, Post Office Building, Denver, Colorado.

It is further ordered, That the time for filing petitions of intervention in this matter be, and it hereby is, extended from July 17, 1942, to August 6, 1942.

In all other respects the Notice of and Order for Hearing issued in this matter on June 25, 1942, shall remain in full force and effect.

Dated: July 21, 1942.

[SEAL]

DAN H. WHEELER,  
Acting Director.

[F. R. Doc. 42-6974; Filed, July 22, 1942;  
11:15 a. m.]

## DEPARTMENT OF AGRICULTURE.

### Agricultural Marketing Administration.

#### ST. LOUIS MARKETING AREA

#### EXCEPTIONS, AMENDMENTS TO MARKETING AGREEMENT

Notice of report and opportunity to file written exceptions with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and to order No. 3, as amended, regulating the handling of milk in the St. Louis, Missouri, Marketing Area.

Pursuant to § 900.12 (a), General Regulations, as Amended, Agricultural Marketing Administration, United States Department of Agriculture, notice is hereby given of the filing with the hearing clerk of this report of the Administrator of the Agricultural Marketing Administration, with respect to proposed amendments to the tentatively approved marketing agreement, as amended, and to the marketing order, as amended, regulating the handling of milk in the St. Louis, Missouri, marketing area. Interested parties may file exceptions to this report with the Hearing Clerk, Room 0312, South Building, Department of Agriculture, Washington, D. C., not later than the close of business on the 7th day after publication of this notice in the FEDERAL REGISTER.

The proceeding was initiated by the Agricultural Marketing Administration as the result of a written application for hearing filed by the Sanitary Milk Producers, Inc., and the filing of specific proposals for amendments by this organization of producers, by the Square Deal Milk Producers Association of Illinois, by the Cooperative Milk Producers Association of Missouri, by handlers, and by the Dairy and Poultry Branch, Agricultural Marketing Administration. After consideration and investigation, the conclusion was drawn that a hearing should be held, and a notice of hearing was accordingly issued on June 2, 1942. The hearing was convened June 12, 1942, at St. Louis, Missouri.

The major issues developed at the hearing were concerned with (1) the classification of milk, (2) the method

of determining class prices, and (3) the level of prices for milk both inside and outside the marketing area. Minor issues developed in connection with the application of location differentials provided under the order and with the possible pricing of off-flavor milk.

With respect to these issues it is concluded from the record that:

1. Skim milk, flavored milk and milk drinks, and buttermilk should be reclassified from Class II to Class I milk.

2. Prices should be revised so as to reflect the economic conditions which affect the market supply of and demand for milk in the marketing area, to maintain an adequate supply of pure and wholesome milk, and to be in the public interest.

3. A special price relative to off-flavor milk should not be included.

4. No change should be made in the application of the location differentials. It is concluded also that the base period used in ascertaining prices which will give milk produced for sale in the marketing area a purchasing power equivalent to its purchasing power during the base period, in accordance with sections 2 and 8e (50 Stat. 246; 7 U.S.C., 1940 ed. 602, 608e), should be August 1919-July 1929.

The proposed amendments to the order, as amended, and the proposed marketing agreement, as amended, which follow, are recommended as the detailed means by which these conclusions may be effectuated.

This report filed at Washington, D. C., this 22d day of July 1942.

#### PROPOSED AMENDMENTS TO MARKETING ORDER

Proposed amendments to the marketing order, as amended, regulating the handling of milk in the St. Louis, Missouri, Marketing Area.

These proposed amendments are prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as Amended, Agricultural Marketing Administration, and have not received the approval of the Secretary of Agriculture.

It is found, upon the evidence introduced at the public hearing, convened in St. Louis, Missouri, on June 12, 1942, such findings being in addition to the findings made upon the evidence introduced at prior public hearings on the original issuance of the order and on the amendments thereto (which findings are hereby ratified and affirmed save only as such findings are in conflict with the findings hereinafter set forth):

#### Findings

1. That the prices calculated to give milk produced for sale in the marketing area a purchasing power equivalent to the purchasing power of such milk, as determined pursuant to section 2 and section 8 (e) (50 Stat. 246; 7 U.S.C., 1940 ed. 602, 608e), are not reasonable in view of the price of feeds, the available supplies of feeds, and other economic conditions which affect market supply of and demand for such milk, and that the minimum prices set forth in these amendments to the order, as amended, are such prices as will reflect the aforesaid factors,

insure a sufficient quantity of pure and wholesome milk, and be in the public interest.

2. That the order, as amended by these amendments, regulates the handling of milk in the same manner as and is applicable only to handlers defined in a marketing agreement upon which a hearing has been held; and

3. That the issuance of these amendments, and all of their terms and conditions, tend to effectuate the declared policy of the act.

#### Provisions

a. Delete from § 903.1 (a) (9) the colon and the proviso which reads, "Provided, That a handler operating a plant or plants from which no milk is disposed of for fluid consumption in the marketing area shall be a nonhandler with respect to such plant or plants."

b. Insert a period (.) at the end of § 903.1 (a) (9).

c. Delete § 903.3 (b) and substitute therefor the following:

(b) *Classes of utilization.* The classes of utilization of milk shall be as follows:

(1) Class I milk shall be all milk the utilization of which is not established as Class II milk.

(2) Class II milk shall be all milk the skim milk and butterfat of which is established (a) by use or disposition as other than milk, skim milk, flavored milk and milk drinks (of any butterfat test), and buttermilk; and (b) as actual plant shrinkage, but not to exceed 3 percent of the total receipts of milk from producers.

d. Delete § 903.3 (c) and substitute therefor the following:

(c) *Interhandler and nonhandler transfers of milk.* Milk or skim milk received by a handler from another handler shall be classified as Class I milk, and cream so received shall be classified as Class II milk: *Provided*, That if a different classification is agreed upon in writing between the receiving handler and the selling handler and is submitted to the market administrator on or before the 5th day after the end of the delivery period, then the milk, skim milk, or cream shall be classified according to such written agreement: *And provided further*, That the amount so reported in any class shall not be greater than the amount used in that class by the receiving handler.

Milk or skim milk moved in fluid form from a handler's fluid milk plant to a plant from which no milk is disposed of for fluid consumption (regardless of whether the latter plant is operated by such handler or by a nonhandler) shall be Class II milk. Milk or skim milk moved in fluid form from a handler's plant to a nonhandler's plant from which fluid milk is distributed shall be Class I milk, except that any of this milk or skim milk in excess of the amount of fluid milk, proved to the satisfaction of the market administrator to have been distributed by the nonhandler during the delivery period, shall be classified as Class II milk: *And provided further*,

That all milk or skim milk moved in fluid form to plants more than 110 air-line miles from the City Hall in St. Louis shall be classified as Class I milk. Milk or skim milk disposed of in fluid form from a handler's plant to retail establishments which disposed of milk for both fluid and other uses shall be Class I milk.

e. Delete § 903.3 (d) and substitute therefor the following:

(d) *Purchases of milk from persons who are handlers under other Federal milk agreements or orders.* Milk or skim milk approved by the proper health authorities for consumption in fluid form in the marketing area which has been received from a person who is a handler, as defined under another Federal marketing agreement or order, shall be deducted from each class in the proportion that the quantity used in each class by the receiving handler bears to the total quantity of milk received by him, after excluding such handler's receipts of milk from other handlers.

f. Delete § 903.3 (e) (2) and substitute therefor the following:

(2) To determine the hundredweight of Class I milk: convert to gallons the quantity of milk disposed of in the form of milk, skim milk, flavored milk and milk drinks (of any butterfat test), and buttermilk, and multiply the total by 0.086: *Provided*, That there shall be added any difference of milk determined under subparagraph (1) of this paragraph, over the Class I milk thus far determined plus the hundredweight of Class II milk determined pursuant to paragraph (3) of this paragraph.

g. Delete from § 903.4 (a) (1) the figure "1.00" and substitute therefor the figure "1.10."

h. Delete from § 903.4 (a) (2) the figure "0.30" and substitute therefor the figure "0.40."

i. Delete the proviso of § 903.4 (a) (3) and substitute therefor the following:

*Provided*, That if the price so determined is less than the price computed by the market administrator in accordance with the following formula, such formula price shall be used: multiply by 3.5 the average price per pound of 92-score butter at wholesale in the Chicago market, as reported by the United States Department of Agriculture for the delivery period during which such milk was received, and add 20 percent thereof: *Provided*, That such price shall be subject to the following adjustments: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption is above 5½ cents per pound or (2) subtract 3½ cents per hundredweight for each full one-half cent that the price of such dry skim milk is below 5½ cents per pound. For purposes of determining these adjustments the price per pound of dry skim milk to be used shall be the average of the carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, as published by the United

States Department of Agriculture for a Chicago area during the delivery period, including in such average the quotations published for any fractional part of the previous delivery period which were not published and available for the price determination of such dry skim milk for the previous delivery period. In the event carlot prices for dry skim milk for human consumption, f. o. b. manufacturing plant, are not so published, the average of the carlot prices for dry skim milk for human consumption, delivered at Chicago, as published by the United States Department of Agriculture, shall be used, and the following adjustments shall be made in lieu of the adjustments provided for under (1) and (2) immediately above: (1) add 3½ cents per hundredweight for each full one-half cent that the price of dry skim milk for human consumption delivered at Chicago is above 7½ cents per pound or (2) subtract 3½ cents per hundredweight for each full one-half cent that such price of dry skim milk is below 7½ cents per pound.

PROPOSED MARKETING AGREEMENT AS AMENDED

Proposed marketing agreement, as amended, regulating the handling of milk in the St. Louis, Missouri, Marketing Area, prepared by the Administrator of the Agricultural Marketing Administration, United States Department of Agriculture.

This proposed marketing agreement, as amended, is prepared by the Administrator pursuant to § 900.12 (a) of the General Regulations, as Amended, Agricultural Marketing Administration, and has not received the approval of the Secretary of Agriculture.

Whereas the parties hereto, in order to effectuate the declared policy of the said act, desire to enter into this marketing agreement, as amended.

Now, therefore, the parties hereto agree as follows:

1. The terms and provisions of § 903.1 through § 903.13 of Order No. 3, as Amended, Regulating the Handling of Milk in the St. Louis, Missouri, Marketing Area, issued effective December 1, 1940, as amended, by Amendment No. 1, issued effective December 5, 1941, shall be the terms and provisions of this marketing agreement, as amended, as if set out in full herein, with the exception that wherever the word "order" is used the words "marketing agreement" shall be substituted therefor; and

2. The following sections shall also be a part of the marketing agreement, as amended, in addition to § 903.1 through § 903.13 of said order, as amended:

§ 903.14 *Counterparts and additional parties*—(a) *Counterparts of marketing agreement, as amended.* This marketing agreement, as amended, may be executed in multiple counterparts, and when one counterpart is signed by the Secretary all such counterparts shall constitute, when taken together, one and the same instrument, as if all such signatures were obtained in one original.

(b) *Additional parties to the marketing agreement, as amended.* After this marketing agreement, as amended, first takes effect, any handler may become a party to this marketing agreement, as amended, if a counterpart hereof is executed by him and delivered to the Secretary. This marketing agreement, as amended, shall take effect as to such new contracting parties at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this marketing agreement, as amended, shall then be effective as to such new contracting party.

§ 903.15 *Record of milk handled during the month of \_\_\_\_\_ 1942, and authorization to correct typographical errors.* (a) *Record of milk handled during the month of \_\_\_\_\_ 1942.* The undersigned certifies that he handled during the month \_\_\_\_\_ 1942, \_\_\_\_\_ hundred weight of milk covered by this marketing agreement, as amended, and disposed of within the marketing area.

(b) *Authorization to correct typographical errors.* The undersigned hereby authorizes the Chief, or Acting Chief, Dairy and Poultry Branch, Agricultural Marketing Administration, to correct any typographical errors which may have been made in this marketing agreement, as amended.

§ 903.16 *Signature of parties.* In witness whereof, the contracting handlers, acting under the provisions of the act, for the purposes and subject to the limitations herein contained and not otherwise, have hereunto set their respective hands and seals.

[SEAL] ROY F. HENDRICKSON,  
Administrator.

[F. R. Doc. 42-6980; Filed, July 22, 1942;  
11:39 a. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

RAILROAD CARRIER INDUSTRY

NOTICE OF FINAL DATE FOR SUBMISSION OF WRITTEN BRIEFS IN THE MATTER OF THE MINIMUM WAGE RECOMMENDATION OF INDUSTRY COMMITTEE NO. 44

Notice is hereby given that the Administrator of the Wage and Hour Division will receive at his office, 165 West 46th Street, New York, New York, from persons who entered an appearance at the hearing held on July 15, 1942, on the minimum wage recommendation of Industry Committee No. 44 for the Railroad Carrier Industry, written briefs bearing on the issues which are before him in this matter, provided that at least twelve copies of each such brief shall be submitted to him before 4:30 P. M., Wednesday, August 5, 1942.

Signed at New York, New York, this 21st day of July 1942.

WILLIAM B. GROGAN,  
Acting Administrator.

[F. R. Doc. 42-6944; Filed, July 22, 1942;  
10:37 a. m.]

## CIVIL AERONAUTICS BOARD.

## AIR TRAFFIC RULES

ORDER RENUMBERING AMENDMENTS NOS. 60-1 THROUGH 60-5 ADOPTED BETWEEN MAY 11 AND JUNE 12, 1942

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 16th day of July 1942.

It appearing that:

(a) Section 60.97, entitled "Transportation of explosives", having been recently amended on four different occasions and that it is, therefore, desirable to include these amendments and an additional amendment to § 60.96, relating to whether information, in the reprinting of the new Part 60 which is presently in the form of page proof; and

(b) In order to provide for the inclusion of these amendments in the new printing, it will be necessary to renumber such amendments as amendments of the edition of October 4, 1940;

Now, therefore, it is ordered, That amendments Nos. 60-1, 60-2, 60-3, 60-4, and 60-5 of the present reprinting of Part 60 be, and hereby are, renumbered 60-64, 60-65, 60-66, 60-67, and 60-68, respectively, as amendments of the edition of October 4, 1940, and it is further ordered that the present reprinting of Part 60, Air Traffic Rules, be, and hereby is, designated as the edition of July 15, 1942.

By the Civil Aeronautics Board.

[SEAL] DARWIN CHARLES BROWN,  
Secretary.

[F. R. Doc. 42-6977; Filed, July 22, 1942;  
11:32 a. m.]

## FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6304]

## AMERICAN BROADCASTING CORPORATION OF KENTUCKY (WLAP)

## ORDER DENYING PETITION, ETC.

In re application of American Broadcasting Corporation of Kentucky (WLAP), Lexington, Kentucky, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July, 1942;

The Commission having under consideration the petition of American Broadcasting Corporation of Kentucky for a grant of the above-described application, and being fully informed in the premises:

It is ordered, That the said petition be, and it is hereby, denied; and

It is further ordered, That the application be heard upon the following issues:

1. To determine whether the granting of this application is consistent with the Commission's Memorandum Opinion of April 27, 1942;

2. To determine whether, in view of the foregoing, public interest, convenience, and necessity will be served through the granting of this application. By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6953; Filed, July 22, 1942;  
11:05 a. m.]

[Docket No. 5985]

## BUTLER BROADCASTING CORP.

## ORDER DENYING PETITION, ETC.

In re application of Butler Broadcasting Corporation (New), Hamilton, Ohio, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 14th day of July, 1942;

The Commission having under consideration the petition of Butler Broadcasting Corporation, filed June 24, 1942, and being fully informed in the premises;

It is ordered, That the petition, be, and it is hereby, denied;

It is further ordered, That the above-described applications be, and it is hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application. By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6947; Filed, July 22, 1942;  
11:04 a. m.]

[Docket No. 6367]

## KANAWHA VALLEY BROADCASTING Co. (WGKV)

## NOTICE OF HEARING

In re application of Kanawha Valley Broadcasting Company (WGKV), dated December 19, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Charleston, W. Va.; operating assignment specified: Frequency, 1490 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942, denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.332 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Kanawha Valley Broadcasting Company, Radio Station WGKV, Empire Building, 203 Dickinson Street, Charleston, West Virginia.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6959; Filed, July 22, 1942;  
11:07 a. m.]

[Docket No. 5365]

## J. C. KAYNOR

## ORDER DENYING PETITION, ETC.

In re application of J. C. Kaynor (new); Ellensburg, Washington; for construction permit.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 14th day of July, 1942;

The Commission having under consideration the petition of J. C. Kaynor, filed May 29, 1942, requesting that the above-entitled application be granted, or, in the alternative, that it be retained in the Commission's files until such time as it may lawfully be granted:

It is ordered, That said petition be, and it is hereby, denied; and

It is further ordered, That the above-entitled application be, and it is hereby, designated for further hearing upon the following issues:

1. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience or necessity.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6346; Filed, July 22, 1942;  
11:04 a. m.]

[Docket No. 6249]

KINGSPORT BROADCASTING CO., INC.  
(WKPT)

## ORDER AMENDING ISSUES

In re application of Kingsport Broadcasting Company, Inc. (WKPT), Kingsport, Tennessee; for Construction permit.

*It is ordered*, On the Commission's own motion, on this 16th day of July 1942, that the issues heretofore released on the above-entitled application be, and they are hereby, amended, to read as follows:

1. To determine whether the operation of Station WKPT at the proposed transmitter site would be consistent with the Standards of Good Engineering Practice, particularly as to population residing within the "blanket area" (250 mv/m contour).

2. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of the proposed station.

3. To determine whether Station WKPT, operating as proposed, would provide primary service to the business district of Kingsport, Tennessee, as contemplated by the Standards of Good Engineering Practice.

4. To determine the extent of any interference which would result from the operation of Station WKPT as proposed herein to the services of Station CKSO, Sudbury, Ontario, and CMBC, Havana, Cuba (Appendix II, Table I, NARBA).

5. To determine the extent of any interference which would result from the simultaneous operation of Station WKPT as proposed herein and Station WGRC as proposed in Docket No. 6052, as well as the areas and populations affected thereby and what other broadcast service is available to these areas and populations.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b), Communications Act of 1934, as amended.

7. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

8. To determine whether in view of the facts adduced under the foregoing issues and the issues relating to the application of Northside Broadcasting Corporation, licensee of Station WGRC, Docket No. 6052, public interest, convenience and necessity would be served through the granting of this application.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.[F. R. Doc. 42-6950; Filed, July 22, 1942;  
11:05 a. m.]

[Docket No. 6366]

MASSACHUSETTS BROADCASTING CORP.  
(WCOP)

## NOTICE OF HEARING

In re application of Massachusetts Broadcasting Corporation (WCOP), dated March 24, 1942, for construction permit; class of service, broadcast; class of station, broadcast; location, Boston, Massachusetts; operating assignment specified: Frequency, 1,150 kc.; power, 1 kw. (DA-Night); hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Massachusetts Broadcasting Corporation, Radio Station WCOP, Copley-Plaza Hotel, 138 St. James Avenue, Boston, Massachusetts.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.[F. R. Doc. 42-6957; Filed, July 22, 1942;  
11:06 a. m.]

[Docket No. 6052]

NORTHSIDE BROADCASTING CORP. (WGRC)

## ORDER DENYING PETITION, ETC.

In re application of Northside Broadcasting Corporation (WGRC), New Albany, Indiana, for construction permit.

At a session of the Federal Communications Commission held at its offices in

Washington, D. C., on the 15th day of July, 1942;

The Commission having under consideration the petition of Northside Broadcasting Corporation for a grant of the above-described application, and being fully informed in the premises;

*It is ordered*, That the petition be, and it is hereby, denied, and

*It is further ordered*, That the issues heretofore released on the application be, and they are hereby, amended to read as follows:

1. To determine the extent of any interference which would result from the simultaneous operation of Station WGRC as proposed herein, and Stations WTAR and WEAU.

2. To determine the areas and populations which may be expected to lose primary service, particularly from Stations WTAR and WEAU should Station WGRC operate as proposed, and what other broadcast service is available to these areas and populations.

3. To determine the extent of any interference which would result from the operation of Station WGRC as proposed, to the services of Stations CKSO, Sudbury, Ontario, and CMBC, Havana, Cuba, (Appendix II, Table I, North American Regional Broadcasting Agreement).

4. To determine whether Station WGRC, operating as proposed, would provide primary service to the metropolitan district of Louisville, Kentucky, as recommended by the Standards of Good Engineering Practice.

5. To determine whether the granting of this application would be consistent with the Standards of Good Engineering Practice, particularly in view of the expected nighttime interference limitation to the service of the proposed station.

6. To determine the extent of any interference which would result from the simultaneous operation of Station WGRC, as proposed, and Station WKPT as proposed in Docket No. 6249, as well as the areas and populations affected thereby, and what other broadcast service is available to these areas and populations.

7. To determine whether the granting of the application would be consistent with the policy announced by the Commission in its Memorandum Opinion dated April 27, 1942.

8. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b), Communications Act of 1934, as amended.

9. To determine whether in view of the facts adduced under the foregoing issues and the issues relating to the application of Kingsport Broadcasting Company, Inc. (WKPT), Docket No. 6249, public interest, convenience and necessity would be

served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6948; Filed, July 22, 1942;  
11:04 a. m.]

[Docket No. 6224]

STUART BROADCASTING CO. (WROL)

ORDER GRANTING PETITION, ETC.

In re application of S. E. Adcock, d/b as Stuart Broadcasting Company (WROL), Knoxville, Tennessee, for construction permit.

The Commission having under consideration the petition of S. E. Adcock, d/b as Stuart Broadcasting Company, requesting a continuance of the hearing now set for July 21, 1942 on the above-entitled application,

*It is ordered*, This 15th day of July, 1942, that the petition be, and the same is hereby, granted, and

*It is further ordered*, That the hearing be, and the same is hereby, continued until August 20, 1942, and

*It is further ordered*, On the Commission's own motion that the hearing issues on the above-entitled application be, and the same are hereby, amended to read as follows:

1. To determine what new areas and populations would receive primary service as a result of the proposed change in facilities and what broadcast service is already available to such areas and populations.

2. To determine the extent of any interference which would result from the simultaneous operation of Station WROL as proposed herein and Station KWFT.

3. To determine the areas and populations which may be expected to lose primary service during nighttime hours, particularly from Station KWFT, should Station WROL operate as proposed, and what other broadcast service is available to these areas and populations.

4. To determine the extent of any interference which would result from the simultaneous operation of Station WROL as proposed herein and Station KWFT as proposed in application B3-ML-1057, as well as the areas and populations affected thereby, and what other broadcast service is available to these areas and populations.

5. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion dated April 27, 1942.

6. To determine whether the granting of this application would tend toward a fair, efficient and equitable distribution of radio service as contemplated by section 307 (b) of the Communications Act of 1934, as amended.

7. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6949; Filed, July 22, 1942;  
11:04 a. m.]

[Docket No. 6239]

SACANDAGA BROADCASTING CORP.

ORDER DENYING PETITION, ETC.

In re application of Sacandaga Broadcasting Corporation (New) Gloversville, New York, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July 1942;

The Commission having under consideration the petition of Sacandaga Broadcasting Company for a grant of the above-described application, and being fully informed in the premises;

*It is ordered*, That the petition be, and it is hereby, denied; and

*It is further ordered*, That the application be heard upon the following issues:

1. To determine whether the granting of the application would be in conformity with the policy announced by the Commission in its Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, the granting of the application would serve public interest, convenience or necessity.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6951; Filed, July 22, 1942;  
11:05 a. m.]

[Docket No. 6303]

WLEU BROADCASTING CORP. (WLEU)

ORDER DENYING PETITION, ETC.

In re application of WLEU Broadcasting Corporation (WLEU), Erie, Pennsylvania, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July 1942;

The Commission having under consideration the petition of WLEU Broadcasting Corporation for a grant of the above-described application, and being fully informed in the premises;

*It is ordered*, That the said petition be, and it is hereby, denied; and

*It is further ordered*, That the application be heard upon the following issues:

1. To determine whether the granting of this application is consistent with the Commission's Memorandum Opinion of April 27, 1942;

2. To determine whether, in view of the foregoing, public interest, convenience, and necessity will be served through the granting of this application.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6952; Filed, July 22, 1942;  
11:05 a. m.]

[Docket No. 6374]

POSTAL TELEGRAPH-CABLE CO. (NEW YORK)

HEARING AND INVESTIGATION

In the matter of increased rates of Postal Telegraph-Cable Co. (New York)

for service to certain points in Kentucky and Ohio.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July, 1942;

It appearing, that there has been filed with the Commission Supplement No. 30 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, effective July 20, 1942, which provides for the discontinuance of certain public telegraph offices at various named points in Kentucky and Ohio, and for an increase in the rates and charges applicable to telegraph messages delivered at such points;

It further appearing, that said Supplement No. 30 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, makes increases in rates and charges and states regulations and practices effecting such increases in rates and charges for the transmission of telegraph messages in interstate and foreign commerce; that the rights and interests of the public may be injuriously affected thereby; and it being the opinion of the Commission that the effective date of the said tariff supplement should be postponed pending hearing and decision thereon;

*It is ordered*, That the Commission, upon its own motion, without formal pleading, enter upon a hearing concerning the lawfulness of the rates, charges, regulations and practices contained in said Supplement No. 30 to Postal Telegraph-Cable Company (New York) Tariff F.C.C. No. 47, insofar as they relate to the discontinuance of certain named public telegraph offices at points in Kentucky and Ohio;

*It is further ordered*, That the operation of said tariff supplement, insofar as it provides for an increase in the rates and charges for delivery of interstate or foreign telegraph messages to certain named public telegraph offices at points in Kentucky and Ohio, be suspended; and that the use of the rates, charges, regulations and practices therein stated as applicable to such points in Kentucky and Ohio, be deferred until October 20, 1942, unless otherwise ordered by the Commission; and during said period of suspension, no change shall be made in such rates, charges, regulations and practices, or in the rates, charges, regulations and practices sought to be altered, unless authorized by special permission of the Commission;

*It is further ordered*, That an investigation be, and the same is hereby, instituted, into the lawfulness of the rates, charges, classifications, regulations, practices and services of Postal Telegraph-Cable Company (New York) for and in connection with service to and from the points in Kentucky and Ohio named in the provisions of the tariff supplement suspended herein;

*It is further ordered*, That in the event a decision as to the lawfulness of the charges herein suspended has not been made during the suspension period, and said charges shall go into effect, Postal Telegraph-Cable Company (New York), and all other carriers participating in service provided under the tariff provi-

sions suspended herein, shall, until further order of the Commission, each keep accurate account of all amounts received by each of them by reason of any increase in charges effected thereby; in which accounts each such carrier shall specify by whom and in whose behalf such amounts are paid;

*It is further ordered,* That Postal Telegraph-Cable Company (New York) and each participating carrier shall file with this Commission a report, under oath, on or before the 10th day of each calendar month, commencing November 10, 1942, showing the amounts received and accounted for as aforesaid, during the previous calendar month;

*It is further ordered,* That a copy of this Order shall be filed in the office of the Federal Communications Commission with said tariff supplement herein suspended in part; that copies hereof be served upon the carrier parties to such supplement and tariff; and that said carrier parties be, and they are hereby, each made a party respondent to this proceeding;

*It is further ordered,* That this proceeding be, and the same is hereby, assigned for hearing at 10 a. m. on the 19th day of August, 1942, at the offices of the Federal Communications Commission in Washington, D. C.

By the Commission:

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6954; Filed, July 22, 1942;  
11:06 a. m.]

[Docket No. 4361]

RADIO SERVICE CORPORATION  
ORDER DENYING PETITIONS, ETC.

In re application of Radio Service Corporation of Utah (KSL) Salt Lake City, Utah, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 14th day of July, 1942;

The Commission having under consideration the petitions of Radio Service Corporation of Utah, (1) for the grant of the above-described application, and (2) that the application "be kept pending and in full force and effect before the Commission in order that the same may be prosecuted at such time as may be deemed consistent with the war effort and in the public interest, convenience and necessity", and the Commission being fully informed in the premises;

*It is ordered,* That the petitions be, and they are hereby, denied; and

*It is further ordered,* That the application be heard upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, conven-

ience and necessity would be served through the granting of this application. By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6945; Filed, July 22, 1942;  
11:04 a. m.]

[Docket No. 6337]

RADIO STATION WJOB

NOTICE OF HEARING

In re application of O. E. Richardson, Fred L. Adair, and Robert C. Adair, d/b as radio station WJOB (WJOB); dated December 27, 1941, for construction permit; class of service, broadcast; class of station, broadcast; location, Hammond, Indiana; operating assignment specified, frequency, 1230 kc.; power, 250 w.; hours of operation, unlimited.

You are hereby notified that the Commission has examined the above described application and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether in view of the foregoing, public interest, convenience and necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: O. E. Richardson, Fred L. Adair and Robert C. Adair, d/b as Radio Station WJOB, 447 State Street, Hammond, Indiana.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6955; Filed, July 22, 1942;  
11:06 a. m.]

[Docket No. 6365]

VALRADIO, INC. (KXO)

NOTICE OF HEARING

In re application of Valradio, Inc. (KXO); dated February 3, 1942, for modification of license; class of service, broadcast; class of station, broadcast; location, El Centro, California; operating

assignment specified: Frequency, 1,230 kc.; power, 100 w.; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: Valradio, Inc., Radio Station KXO, 793 Main Street, El Centro, California.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL]

T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6956; Filed, July 22, 1942;  
11:06 a. m.]

[Docket No. 6368]

YORK BROADCASTING Co. (WORK)

NOTICE OF HEARING

In re application of York Broadcasting Company (WORK), dated April 18, 1942, for modification of construction permit; class of service, broadcast; class of station, broadcast; location, York, Pennsylvania; operating assignment specified (under C. P.): Frequency, 1350 kc.; power, 1 kw. (DA-night), hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: York Broadcasting Company, Radio Station WORK, Koch Bldg., 13 South Beaver Street, York, Pennsylvania.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6959; Filed, July 22, 1942;  
11:07 a. m.]

[Docket No. 6369]

WCAU BROADCASTING CO.

NOTICE OF HEARING

In re application of WCAU Broadcasting Company (New), dated December 9, 1941, for construction permit; class of service, television broadcast; class of station, television broadcast; location, Philadelphia, Pa., operating assignment specified: Frequency, Ch. #5. 84000-90000 kcs., ESR: 1128; power ----; hours of operation, unlimited.

You are hereby notified that the Commission on July 7, 1942 denied the petition of the applicant filed pursuant to the Memorandum Opinion of the Commission of April 27, 1942, and designated the above-entitled matter for hearing upon the following issues:

1. To determine whether the granting of this application would be consistent with the Commission's Memorandum Opinion of April 27, 1942.

2. To determine whether, in view of the foregoing, public interest, convenience and necessity will be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's Rules of Practice and Procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's Rules of Practice and Procedure.

The applicant's address is as follows: WCAU Broadcasting Company, Radio Station WCAU, 1622 Chestnut Street, Philadelphia, Pennsylvania.

Dated at Washington, D. C., July 17, 1942.

By the Commission.

[SEAL] T. J. SLOWIE,  
Secretary.

[F. R. Doc. 42-6960; Filed, July 22, 1942;  
11:07 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Docket No. 3147-7]

OLIVER IRON AND STEEL CORP.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 3 under Maximum Price Regulation No. 147<sup>1</sup>—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets.

On July 8, 1942, Oliver Iron and Steel Corporation, South Tenth and Muriel Streets, Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition, and an opinion in support of this Order No. 3 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.<sup>2</sup> For the reasons set forth in the opinion, under the Authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,<sup>3</sup> issued by the Office of Price Administration, it is hereby ordered:

(a) Oliver Iron and Steel Corporation, in ascertaining the maximum price it may charge on a shipment of track bolts from Pittsburgh, Pennsylvania, to Brownson, Nebraska, made July 3, 1942 of 58,061 pounds on Contract W-7334-ENG-4, Purchase Order 58 of the War Department, Office of Area Engineer, Sioux Ordnance Depot, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147 from Pittsburgh, Pennsylvania as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 3 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 3 shall become effective July 22, 1942.

Issued this 21st day of July, 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6929; Filed, July 21, 1942;  
12:33 p. m.]

<sup>1</sup> 7 F.R. 3808.

<sup>2</sup> Copies may be obtained from the Office of Price Administration.

<sup>3</sup> 7 F.R. 971.

[Docket No. 3147-5]

OLIVER IRON AND STEEL CORP.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 4 under Maximum Price Regulation No. 147<sup>1</sup>—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets.

On July 1, 1942, Oliver Iron and Steel Corporation, South Tenth and Muriel Streets, Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the petition, and an opinion in support of this Order No. 4 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.<sup>2</sup> For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, and in accordance with Procedural Regulation No. 1,<sup>3</sup> issued by the Office of Price Administration, it is hereby ordered:

(a) Oliver Iron and Steel Corporation, in ascertaining the maximum prices it may charge for track bolts shipped or to be shipped from Pittsburgh, Pennsylvania to Denver, Colorado, Knobnoster, Missouri, La Junta, Colorado, Springfield, Illinois, Great Falls, Montana, and Salem, Oregon, pursuant to orders of the War Department, Office of Chief of Engineers, Washington, D. C., Requisition Nos. 5135-3, 6396-3, 5925-3, 5122-4, 6470-3 and 6675-3 respectively, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147, from Pittsburgh, Pennsylvania, as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 4 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 4 shall become effective July 22, 1942.

Issued this 21st day of July 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6939; Filed, July 21, 1942;  
12:34 p. m.]

[Docket No. 3147-8]

OLIVER IRON AND STEEL CORP.

ORDER GRANTING PETITION FOR EXCEPTION

Order No. 5 under Maximum Price Regulation No. 147<sup>1</sup>—Ferrous and Non-Ferrous Bolts, Nuts, Screws and Rivets.

On July 9, 1942, Oliver Iron and Steel Corporation, (hereinafter called "petitioner"), South Tenth and Muriel Streets, Pittsburgh, Pennsylvania, filed a petition for an exception pursuant to § 1368.7 (a) of Maximum Price Regulation No. 147. Due consideration has been given to the

<sup>1</sup> 7 F.R. 971, 3663.

petition, and an opinion in support of this Order No. 5 has been issued simultaneously herewith and has been filed with the Division of the Federal Register.<sup>2</sup> For the reasons set forth in the opinion, under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942 and by § 1368.7 (a) of Maximum Price Regulation No. 147, and in accordance with Procedural Regulation No. 1,<sup>3</sup> issued by the Office of Price Administration, it is hereby ordered:

(a) Oliver Iron and Steel Corporation, in ascertaining the maximum prices it may charge for track bolts to be shipped from Pittsburgh, Pennsylvania to Benicia, California, Deming, New Mexico, Gainesville, Texas and Chamblee, Georgia, pursuant to an order expected from the War Department, Office of Chief Engineers, in accordance with a quotation made by the petitioner on July 6, 1942, may calculate its delivery charges under Appendix C (§ 1368.14) of Maximum Price Regulation No. 147, from Pittsburgh, Pennsylvania, as an emergency basing point.

(b) All prayers of the petition not granted herein are hereby denied.

(c) This Order No. 5 may be revoked or amended by the Price Administrator at any time.

(d) The definitions set forth in § 1368.8 of Maximum Price Regulation No. 147 shall apply to the terms used herein.

(e) This Order No. 5 shall become effective July 22, 1942.

Issued this 21st day of July, 1942.

LEON HENDERSON,  
Administrator.

[F. R. Doc. 42-6931; Filed, July 21, 1942;  
12:34 p. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-535]

COLUMBIA GAS & ELECTRIC CORPORATION,  
AND COLUMBIA CORPORATION

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of July 1942.

Columbia Gas & Electric Corporation, a registered holding company and a subsidiary of The United Corporation, also a registered holding company, having filed an application and declaration and amendments thereto under sections 10 (c) and 12 (c), respectively, of the Public Utility Holding Company Act of 1935 and Rule U-42 promulgated thereunder, regarding the proposed expenditure of not in excess of \$9,477,000 to acquire part of its three series of outstanding debentures by purchases on the New York Stock Exchange, and by a direct purchase of \$27,800 principal amount from Columbia Corporation, a wholly-owned subsidiary of Columbia Gas & Electric Corporation; and

Columbia Corporation having filed a joint declaration pursuant to section 12 (f) of the Act and Rule U-43 promulgated thereunder, regarding the proposed sale to Columbia Gas & Electric Corporation; and

A public hearing on said application and declaration having been held after appropriate notice; the Commission having examined the record and having made and filed its Findings herein;

It is ordered, That said application, as amended, be and hereby is granted, and that said declaration, as amended, be and hereby is permitted to become effective forthwith, subject, however, to the transactions therein set forth being carried out in conformity with the representations made, and for the purposes stated, in said application and declaration, as amended, and in compliance with the following terms and conditions:

(1) That at least ten days before purchases are commenced, Columbia Gas shall advise each known holder of its debentures fully with respect to its intention to make purchases and the method to be employed, and shall furnish to each known debenture holder and members of the New York Stock Exchange a copy of our Findings and Opinion herein, together with a corporate and consolidated balance sheet as of a recent date, condensed comparative corporate and consolidated income statements for the past three calendar years, an interim income statement indicating the estimated effect of prospective Federal Income and Excess Profits Taxes, and a statement of other factors expected to influence income; the form of letter and accompanying documents to be submitted to the staff of the Public Utilities Division of this Commission prior to release by Columbia Gas; and that Columbia Gas shall cause to be published, at least twice, in a daily periodical of general circulation a public notice of its intention to make such purchases; and such purchases shall not commence within five days subsequent to the publication of second notice;

(2) That all purchases other than from Columbia Corporation shall be effected on the New York Stock Exchange, and Columbia Gas shall not solicit or cause to be solicited the sale of any of its debentures;

(3) That, except for the proposed acquisition from Columbia Corporation, no debentures shall knowingly be purchased from any officer or director of Columbia Gas, its subsidiaries or its affiliates, or from such subsidiaries or affiliates;

(4) That Columbia Gas shall furnish to the Commission, promptly at the end of each week, a schedule showing for each day covered by such report the principal amount of debentures of each maturity purchased, the price at which purchased, and the name of the broker through whom purchased; such information to be kept confidential by Colum-

bia Gas and the Commission, subject to further Order of the Commission;

(5) That no purchases shall be made after the expiration of four months from the date of this Order, subject, however, to the right of Columbia Gas to apply for an extension or extensions of such period;

(6) That Columbia Gas shall promptly, upon completion or abandonment of the proposed purchase program, publicly notify the debenture holders to that effect;

(7) That the Commission reserves jurisdiction, in its discretion, to rescind or modify this Order upon notice to Columbia Gas at any time prior to the expiration of such four months' period, or any extensions thereof; any such rescission or modification to be applicable only to such portion of the \$9,452,000 as shall not have been previously expended.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 42-6939; Filed, July 21, 1942;  
3:21 p. m.]

[File Nos. 59-17, 59-11, 54-25]

THE UNITED LIGHT AND POWER COMPANY,  
ET AL.

NOTICE OF FILING OF RESPONDENTS' APPLICATION AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 20th day of July 1942.

In the Matter of The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company, Continental Gas & Electric Corporation, United American Company, and Iowa-Nebraska Light and Power Company, Respondents, (File No. 59-17); The United Light and Power Company and its subsidiary companies, Respondents, (File No. 59-11); and The United Light and Power Company, Applicant, (File No. 54-25)

The Commission having previously, by order dated August 5, 1941, under section 11 (b) (1) of the Public Utility Holding Company Act of 1935, ordered among other things that The United Light and Power Company, The United Light and Railways Company, American Light & Traction Company and Continental Gas & Electric Corporation dispose of certain of their interests in the companies designated in such order of August 5, 1941; and said order having provided that the respondents should make application to the Commission for the entry of such further orders as were necessary or appropriate for that purpose; and the Commission having reserved jurisdiction to enter such further orders as might be necessary or appropriate;

Notice is hereby given that the United Light and Power Company, the United Light and Railways Company, American Light & Traction Company, and Continental Gas & Electric Corporation, all registered holding companies, have filed on July 13, 1942 an application, designated as "Application No. 15", requesting the entry of an order by this Commis-

<sup>2</sup> Copies may be obtained from the Office of Price Administration.

<sup>3</sup> F.R. 971, 3663.

sion under section 11 (c) of the Act, extending the time for compliance with the order of this Commission issued on August 5, 1941, for a period of one year, or until August 5, 1943.

All interested persons are referred to Application No. 15 which is on file in the offices of the Commission for full details concerning the application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that the hearings should be reconvened for the purpose of considering said Application No. 15;

*It is ordered*, That the hearings in this proceeding be reconvened at the office of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania, in such room as may be designated on such date by the Hearing Room Clerk in Room 318, at 10:00 A. M. on the 3d day of August 1942. All persons desiring to be heard or otherwise wishing to participate in the proceedings should notify the Commission in the manner provided for by our Rules of Practice, Rule XVII, on or before August 1, 1942. At said reconvened hearing on that day the issues will be limited to a consideration of the matters presented by Application No. 15.

*It is further ordered*, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing in such matters. The officer so designated to preside at such hearing is hereby authorized to assert all powers granted to the Commission under section 18 (c) of the Act and to the trial examiner under the Commission's Rules of Practice.

*It is further ordered*, That without limiting the scope of the issues presented by said Application, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether or not the respondents have exercised due diligence in their efforts to comply with the order of this Commission dated August 5, 1941.

(2) Whether an extension of one year in which to comply with our order of August 5, 1941, as requested by the respondents, is necessary or appropriate in the public interest or for the protection of investors or consumers.

Notice of such hearing is hereby given to the respondents and applicants herein, and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors and consumers.

*It is further ordered*, That the Secretary of this Commission shall serve notice of the entry of this order by mailing a copy thereof by registered mail to the respondents and applicants and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 42-6940; Filed, July 21, 1942; 3:21 p. m.]

[File No. 70-578]

AMERICAN UTILITIES SERVICE CORPORATION  
NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of July 1942.

Notice is hereby given that a declaration or application (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by American Utilities Service Corporation; and

Notice is further given that any interested parties may, not later than August 6, 1942, at 5:30 P. M., E. W. T., request the Commission in writing that a hearing may be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter, such declarations or applications, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction, as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declarations or applications, which are on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

American Utilities Service Corporation, a registered holding company proposes to pledge with the Continental Illinois National Bank and Trust Company of Chicago (Trustee under the Indenture securing its Collateral Trust 6% Bonds, Series A) 2,000 shares of common stock, \$100 par value, of Northwestern Wisconsin Electric Company (a subsidiary) and 31,598 shares of common stock, no par value, of Southeastern Telephone Company (a subsidiary) in accordance with a provision of the Trust Indenture requiring the pledge of securities existing through the conversion of securities previously pledged to the Trustee.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 42-6941; Filed, July 21, 1942; 3:21 p. m.]

[File No. 70-576]

NEW ENGLAND POWER SERVICE COMPANY  
NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pennsylvania, on the 17th day of July 1942.

Notice is hereby given that an application or declaration (or both) has been filed with this Commission pursuant to

the Public Utility Holding Company Act of 1935 by New England Power Service Company, a subsidiary service company of New England Power Association, a registered holding company; and

Notice is further given that any interested person may, not later than July 31, 1942, at 5:30 p. m. E. W. T., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pa.

All interested persons are referred to said declaration or application, which is on file in the office of this Commission, for a statement of the transaction therein proposed, which is summarized below:

New England Power Service Company proposes to borrow from banks from time to time sums not exceeding in the aggregate more than \$500,000, and to issue therefor a note or notes to mature in not more than six months, the funds so to be borrowed to be used solely to finance work under war contracts. Said notes will be either unsecured or secured by an assignment of claims for money due under any or all of said war contracts, and will be issued upon such reasonable terms and conditions as will enable New England Power Service Company to obtain the necessary funds economically and expeditiously.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 42-6942; Filed, July 21, 1942; 3:21 p. m.]

[File No. 1-2232]

CHOLLAR EXTENSION MINING COMPANY  
ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Washington, D. C., on the 17th day of July, A. D. 1942.

The San Francisco Mining Exchange pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, having made application to strike from listing and registration the 10¢ Par Value Common Stock of the Chollar Extension Mining Company; and

After appropriate notice, a hearing having been held in this matter; and

The Commission having considered said application together with the evidence introduced at said hearing, and having due regard for the public interest and the protection of investors;

*It is ordered,* That said application be and the same is hereby granted, effective at the close of the trading session on July 27, 1942.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
*Secretary.*

[F. R. Doc. 42-6938; Filed, July 21, 1942;  
3:24 p. m.]

#### WAR PRODUCTION BOARD.

[Certificate No. 5]

#### COMPOUNDING OF SYNTHETIC RUBBER

##### THE ATTORNEY GENERAL:

I submit herewith a proposed agreement entitled "Agreement on Exchange of Technical Information and Patent Rights Relating to the Compounding of Synthetic Rubber", dated July 3, 1942, be-

tween Rubber Reserve Company, a corporation created by Reconstruction Finance Corporation, and certain rubber manufacturing companies named therein.

I understand that this agreement has your approval insofar as the antitrust policies of the Department of Justice are concerned.

I hereby approve said agreement for the purposes of section 12 of Public Law No. 603, approved June 11, 1942, and after consultation with you, I hereby find and so certify to you that the doing of any act or thing or the omission to do any act or thing, in compliance with my approval herein expressed, by the parties to said agreement,<sup>1</sup> is requisite to the prosecution of the war.

DONALD M. NELSON,  
*Chairman.*

JULY 11, 1942.

[F. R. Doc. 42-6936; Filed, July 21, 1942;  
3:16 p. m.]

<sup>1</sup> *Infra.*

#### PARTIES TO SYNTHETIC RUBBER AGREEMENT

CERTAIN DETAILS OF AGREEMENT REFERRED TO IN CERTIFICATE NO. 5 OF THE CHAIRMAN, WAR PRODUCTION BOARD, DATED JULY 11, 1942.

Pursuant to section 12 of Public Law No. 603 approved June 11, 1942, I do hereby make public the following details of the Agreement referred to in the above certificate:<sup>1</sup>

Date: July 3, 1942.

Parties: Rubber Reserve Company, The Goodyear Tire & Rubber Company, The Firestone Tire & Rubber Company, United States Rubber Company, and The B. F. Goodrich Company.

FRANCIS BIDDLE,  
*Attorney General.*

JULY 18, 1942.

[F. R. Doc. 42-6937; Filed, July 21, 1942;  
3:16 p. m.]

<sup>1</sup> *Supra.*